

## SPECIAL COMMITTEE REPORTS

**Spec. Com. Rep. No. 1**

Your Committee on Credentials begs leave to report that it has examined the Certificates of Election of the Senate of the Thirty-second Legislature of the State of Hawaii, Regular Session of 2023, and finds that the following persons have been legally elected and are fully qualified to sit as members of the Senate.

The newly elected Senators whose respective terms of office will expire on November 5, 2024, are:

First Senatorial District

Lorraine R. Inouye

Third Senatorial District

Dru Mamo Kanuha

Fourth Senatorial District

Herbert M. "Tim" Richards, III

Sixth Senatorial District

Angus L.K. McKelvey

Seventh Senatorial District

Lynn DeCoite

Twelfth Senatorial District

Sharon Y. Moriwaki

Sixteenth Senatorial District

Brandon J.C. Elefante

Eighteenth Senatorial District

Michelle N. Kidani

Nineteenth Senatorial District

Henry J.C. Aquino

Twenty-second Senatorial District

Maile S.L. Shimabukuro

Twenty-third Senatorial District

Brenton Awa

Twenty-fourth Senatorial District

Jarrett Keohokalole

The newly elected Senators whose respective terms of office will expire on November 3, 2026, are:

Second Senatorial District

Joy A. San Buenaventura

Fifth Senatorial District

Gilbert S.C. Keith-Agaran

Eighth Senatorial District

Ronald D. Kouchi

Ninth Senatorial District

Stanley Chang

Tenth Senatorial District

Les Ihara, Jr.

Eleventh Senatorial District

Carol Fukunaga

Thirteenth Senatorial District

Karl Rhoads

Fourteenth Senatorial District

Donna Mercado Kim

Fifteenth Senatorial District

Glenn Wakai

Seventeenth Senatorial District

Donovan M. Dela Cruz

Twentieth Senatorial District

Kurt Fevella

Twenty-first Senatorial District

Mike Gabbard

Twenty-fifth Senatorial District

Chris Lee

Signed by Senators Kidani, Kanuha, and Wakai, members of the Committee on Credentials.

## CONFERENCE COMMITTEE REPORTS

**Conf. Com. Rep. 1 on S.B. No. 228**

The purpose of this measure is to:

- (1) Establish the offense of fraud as a class B felony;
- (2) Establish the offense of making a false, fictitious, or fraudulent claim against the State or a county as a class C felony; and
- (3) Establish the offense of the use of false statements or entries in matters within the jurisdiction of the executive, legislative, or judicial branches of the State as a class C felony.

Your Committee on Conference finds that it is of utmost importance to restore public trust in state government and increase the level of transparency in government operations and accountability of individuals. Your Committee on Conference also recognizes that to improve the standard of conduct within government, and to more effectively combat fraud, waste, and corruption, it is necessary to establish criminal offenses and penalties.

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. 228, 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. 228, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 2 on S.B. No. 1381**

The purpose of this measure is to repeal section 328-106, Hawaii Revised Statutes, which requires the Department of Health to regulate business practices between private entities engaged in the selling, billing, and reimbursement of pharmaceuticals.

Your Committee on Conference finds that section 328-106, Hawaii Revised Statutes, requires the Department of Health to police contractual relationships between pharmacy benefit managers and pharmacies. This regulatory burden is outside the scope of the Department of Health's purview, expertise, and mission to protect public health, and other existing state laws offer more appropriate regulatory frameworks for pharmacy benefit managers. Thus, repealing section 328-106, Hawaii Revised Statutes is appropriate.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1381, 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. 1381, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, San Buenaventura, and Awa.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

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

**Conf. Com. Rep. 3 on S.B. No. 109**

The purpose of this measure is to replace gender-specific terminology used in certain parental and marital matters with gender-neutral terminology.

Your Committee on Conference finds that existing parental and marriage laws reflect outdated, cisheteronormative concepts of families, parenthood, parental rights, and relationships. Adopting gender neutral terminology is a necessary update to keep existing laws relevant to all marriages, divorces, and adoptions.

Your Committee on Conference has amended this measure by making it effective on January 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. 109, 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. 109, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Elefante, and San Buenaventura.  
Managers on the part of the Senate.  
Ayes, 2. Noes, none. Excused, 1 (San Buenaventura).

Representatives Tarnas, Takayama, Tam, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 4 on S.B. No. 110**

The purpose of this measure is to require gender-specific terminology used in adoption and annulment, divorce, and separation matters to be construed in a gender-neutral manner.

Your Committee on Conference finds that existing laws maintain gender-specific terminology that is not only exclusionary, but also erases the experiences and identities of individuals who do not fit into the gender binary. This measure will ensure that all individuals are recognized and respected in the legal system regardless of their gender identity.

Your Committee on Conference has amended this measure by making it effective on January 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. 110, 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. 110, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Elefante, and San Buenaventura.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Tarnas, Takayama, Tam, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 5 on S.B. No. 203**

The purpose of this measure is to:

- (1) Allow the Campaign Spending Commission to treat a respondent's failure to explain or otherwise respond to a complaint alleging a violation of campaign spending laws as a rebuttable presumption that a violation has occurred; and
- (2) Provide the respondent with thirty days from the mailing of the complaint to explain or otherwise respond before the rebuttable presumption takes effect.

Your Committee on Conference finds that the Campaign Spending Commission is required to make repeated attempts to communicate with a respondent regarding a complaint alleging a violation of campaign spending laws before putting the matter on a meeting agenda for action. This measure will save the Campaign Spending Commission time and resources by allowing the Campaign Spending Commission to process complaints in cases where the Campaign Spending Commission has given notice of a complaint to the respondent and the respondent fails to respond.

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. 203, 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. 203, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 6 on S.B. No. 1189**

The purpose of this measure is to require candidates, or the treasurer of their candidate committee, to file a preliminary campaign finance report on February 28 of the year of a general election.

Your Committee on Conference finds that campaign finance reporting requirements are an essential safeguard to prevent undue influence and allow voters to be better equipped to make informed decisions about who they choose to elect to public office. This measure will increase transparency by requiring an additional reporting date for a preliminary report.

Your Committee on Conference has amended this measure by making it effective on January 1, 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 S.B. No. 1189, 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. 1189, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 7 on S.B. No. 1086**

The purpose of this measure is to amend the composition and duties of the State Highway Safety Council.

Your Committee on Conference finds that the State Highway Safety Council provides valuable insight and advises the State on matters relating to highway safety and transportation infrastructure. As the State incorporates long-term goals such as zero emissions vehicles and clean transportation infrastructure, the scope, responsibilities, and membership of the State Highway Safety Council must also reflect these objectives. This measure amends the name, composition, and duties of the State Highway Safety Council to ensure that the Council provides effective guidance to help achieve state transportation goals and outcomes.

Your Committee on Conference has amended this measure by:

- (1) Renaming the State Highway Safety Council to the State Highway Safety and Modernization Council;
- (2) Adding two additional members to the Council to be appointed by the President of the Senate and Speaker of the House of Representatives, respectively;
- (3) Removing the State Public Charter School Commission Chairperson from the Council;
- (4) Inserting an effective date of July 1, 2023; 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. 1086, 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. 1086, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Todd, Tarnas, Evslin, Kila, and Matsumoto.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 8 on H.B. No. 986**

The purpose of this measure is to establish the class C felony offense of official misconduct to prohibit a person, in the person's official capacity, from acting or refraining from performing an official duty with the intent to obtain a benefit other than the person's lawful compensation, or submitting or inviting reliance on any false statement, document, or record.

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. 986, 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. 986, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 9 on H.B. No. 494**

The purpose of this measure is to deem an organization that receives a motor vehicle as a charitable donation, upon receipt of the motor vehicle, to be a transferee of title or interest, subject to certain rights, responsibilities, and liabilities.

Your Committee on Conference has amended this measure by changing the effective date to July 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. 494, 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. 494, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Lamosao, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 10 on H.B. No. 710**

The purpose of this measure is to:

- (1) Establish the class B felony offense of obstruction of justice to include intentionally influencing; obstructing; impeding; or endeavoring to influence, obstruct, or impede, the due administration of justice by means of force, threat of force, coercion, fraud, or deception; and
- (2) Prohibit a person charged with the class B felony offense of obstruction of justice from being eligible for a deferred acceptance of guilty plea or nolo contendere plea.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have prohibited a person charged with the class B felony offense of obstruction of justice from being eligible for a deferred acceptance of guilty plea or nolo contendere plea;
- (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. 710, 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. 710, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 11 on H.B. No. 884**

The purpose of this measure is to provide an exemption from state physician licensure requirements for out-of-state traveling team physicians who accompany a sports team to Hawaii, under certain conditions.

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. 884, 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. 884, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Belatti, Nakashima, Amato, Sayama, and Pierick.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 12 on H.B. No. 192**

The purpose of this measure is to prohibit the sale of certain fluorescent lamps as a new manufactured product, with certain exemptions.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the prohibition on the sale of a screw or bayonet base type compact fluorescent lamp and a pin-base type compact fluorescent lamp or linear fluorescent lamp as a new manufactured product shall begin on January 1, 2025, and January 1, 2026, respectively; and
- (2) 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. 192, 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. 192, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Keohokalole, and Fukunaga.

Managers on the part of the Senate.

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

Representatives Lowen, Nakashima, Amato, Cochran, Hussey-Burdick, and Ward.

Managers on the part of the House.

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

**Conf. Com. Rep. 13 on H.B. No. 777**

The purpose of this measure is to authorize the Department of Human Services to conduct background checks on current and prospective employees, volunteers, contractors and their employees and volunteers, and subcontractors and their employees and volunteers whose position places or would place them in close proximity to certain minors, young adults, or vulnerable adults.

Your Committee on Conference has amended this measure by:

- (1) Inserting language clarifying that any state law permitting a more extensive inquiry into an individual's criminal history by the State and any of its branches, political subdivisions, agencies, or semi-autonomous public bodies corporate and politic will prevail over conflicting conviction record inquiries under the State's employment practices law;
- (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. 777, 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. 777, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, Moriwaki, and Elefante.

Managers on the part of the Senate.

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

Representatives Mizuno, Tarnas, Amato, Ilagan, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 14 on H.B. No. 541**

The purpose of this measure is to require:

- (1) Vehicle safety inspections to include inspections for compliance with proper head lamp requirements and specifications; and
- (2) The Department of Transportation to amend its administrative rules to allow motor vehicle owners whose motor vehicle registration and safety inspection are both expired to obtain a motor vehicle safety inspection without evidence of the motor vehicle registration before registering the motor vehicle.

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. 541, 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. 541, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Keohokalole, and Awa.

Managers on the part of the Senate.

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

Representatives Todd, Nakashima, Evslin, Hussey-Burdick, Kila, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 15 on H.B. No. 704**

The purpose of this measure is to:

- (1) Exempt flatbed trucks from the registration requirements for motor carrier vehicles when the flatbed trucks are used as marine terminal equipment temporarily moving in or between certain terminals; and
- (2) Adding new terminal locales and roadways covered under the exemption.

Your Committee on Conference has amended this measure by changing the effective date to July 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. 704, 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. 704, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Keohokalole, and Elefante.

Managers on the part of the Senate.

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

Representatives Todd, Nakashima, Aiu, Evslyn, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 16 on H.B. No. 973**

The purpose of this measure is to repeal the requirement for the Department of Agriculture to adopt rules to address nuisance issues, including smell, noise, and excessive lighting arising out of the activities of hemp growers.

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. 973, 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. 973, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Keohokalole, and Richards.

Managers on the part of the Senate.

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

Representatives Gates, Tarnas, Cochran, Kahaloa, and Ward.

Managers on the part of the House.

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

**Conf. Com. Rep. 17 on H.B. No. 692**

The purpose of this measure is to establish minimum administrative penalties and increase maximum administrative and criminal penalties for violators of the Hawaii Pesticides Law.

Your Committee on Conference has amended this measure by:

- (1) Deleting the proposed minimum administrative penalties; and
- (2) Changing its effective date to July 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. 692, 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. 692, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Rhoads, and Richards.

Managers on the part of the Senate.

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

Representatives Gates, Tarnas, Kahaloa, and Ward.

Managers on the part of the House.

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

**Conf. Com. Rep. 18 on H.B. No. 695**

The purpose of this measure is to allow for the use of battery-charged security fences for non-agricultural purposes, under certain circumstances.

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. 695, 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. 695, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Wakai, Rhoads, and Richards.

Managers on the part of the Senate.

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

Representatives Gates, Nakashima, Cochran, Sayama, and Ward.

Managers on the part of the House.

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



**Conf. Com. Rep. 19 on S.B. No. 497**

The purpose of this measure is to prohibit certain oversized commercial vehicles from driving in the far left lane on roadways with three or more lanes for traffic moving in the same direction, subject to certain exceptions.

Your Committee on Conference finds that solutions to traffic congestion across the State will allow all roadway users to commute to and from their destinations in a safe manner. By improving traffic flow on state roadways, including the left lane on roadways, there is a reduced likelihood of motor vehicle collisions that cause serious injuries or death. This measure limits the usage of left lanes by large commercial vehicles to address traffic flow and safety concerns.

Your Committee on Conference has amended this measure by:

- (1) Inserting language to allow a commercial vehicle to be driven in the far left lane if:
  - (A) The commercial vehicle is able to maintain speed with existing traffic flow; and
  - (B) The commercial vehicle is in the process of overtaking and passing another vehicle proceeding in the same direction;
- (2) Inserting an effective date of January 1, 2024; 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. 497, 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. 497, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 20 on S.B. No. 214**

The purpose of this measure is to:

- (1) Establish the offense of interference with the operation of a public transit vehicle; and
- (2) Make clarifying and conforming amendments to the offense of interference with the operator of a public transit vehicle.

Your Committee on Conference finds that public transit vehicles provide essential transportation services to thousands of residents and visitors across the State. While existing law establishes the offense of interference with an operator of a public transit vehicle, which includes injuries or threats to the operator, conduct that interferes with the public transit system is not similarly addressed. This measure establishes the offense of interference with the operation of a public transit vehicle to provide accountability and safer transportation for all users.

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. 214, 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. 214, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Kong, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 21 on S.B. No. 746**

The purpose of this measure is to:

- (1) Expand coffee labeling and advertising requirements to include ready-to-drink coffee beverages and the inner packages and inner wrapping labels of roasted coffee, instant coffee, and ready-to-drink coffee beverages;
- (2) Specify that the coffee labeling and advertising requirements apply if the applicable products are produced in whole or in part from Hawaii-grown and Hawaii-processed green coffee beans;
- (3) Require disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees; and
- (4) Prohibit use of the term "All Hawaiian" in labeling or advertising for roasted coffee or instant coffee not produced entirely from green coffee beans grown and processed in Hawaii.

Your Committee on Conference finds that while existing law provides marketplace protections from fraudulent representations of the labeling or advertising of certain coffee products in the State, these protections require updates due to swiftly changing market conditions and emerging popularized new coffee products. Furthermore, Hawaii is the only coffee producing region where local laws allow for just ten percent of regional coffee content to qualify the product to be “locally produced”. These products often contain up to ninety percent foreign-grown coffee bean of lower quality and production cost to benefit distributors and producers at the expense of local and out-of-state consumers. Therefore, this measure expands and requires additional labeling requirements to better inform consumers of locally grown and processed coffee product options and prohibits the term “All Hawaiian” in products that do not completely contain coffee beans grown and processed entirely in Hawaii.

Your Committee on Conference also finds that the results of the coffee labeling economic impact study of Act 222, Session Laws of Hawaii 2022, should be produced and its results shared with the Legislature before this measure is implemented. Accordingly, your Committee on Conference has amended this measure by inserting an effective date of 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. 746, 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. 746, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 22 on S.B. No. 516**

The purpose of this measure is to:

- (1) Require that the identity statement used for labeling or advertising hemp products identify the percentage of Hawaii-grown and Hawaii-processed hemp and hemp of other origins contained in hemp products; and
- (2) Allow the use of the term “All Hawaiian” for hemp products in which one hundred percent of the hemp is grown and processed in the State.

Your Committee on Conference finds that there is no existing law that requires hemp producers to disclose the origin of the hemp in their products. While hemp in Hawaii is recognized as a versatile agricultural commodity with the potential to diversify the State’s economy, hemp farming and production has proliferated across the nation and the State’s hemp farmers faces fierce competition from out-of-state growers and producers. Therefore, this measure requires that hemp products advertise the percentage of Hawaii-grown and Hawaii-processed hemp as well as hemp of other origins. Furthermore, this measure allows for the use of the term “All Hawaiian” for hemp products that contain one hundred percent of hemp grown and processed in the State. This measure will enhance the appeal of products that contain Hawaii hemp by increasing transparency for consumers that are interested in supporting local businesses.

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. 516, 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. 516, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 23 on S.B. No. 1378**

The purpose of this measure is to:

- (1) Clarify that it shall be unlawful for any person, corporation, or entity to negligently refer or transfer patients to an uncertified or unlicensed care facility; and
- (2) Repeal the provision that a landlord, under specified conditions, shall not be deemed to be providing home care services or operating a care facility that requires a license.

Your Committee on Conference finds that that unlicensed care homes endanger the health and safety of Hawaii’s most vulnerable populations, including kupuna. Despite the dangers these care homes pose, licensed care operators and other persons continue to refer or transfer patients to care homes that, unbeknownst to the patient, are unlicensed. In addition, an existing statutory provision that waives the requirement for licensure for certain landlords that would otherwise qualify as providing home care services or operating a care facility prevents the Department of Health from regulating these unlicensed care providers. Further safeguards are therefore necessary to ensure quality care for, and to protect the welfare of, Hawaii’s vulnerable populations.

Your Committee on Conference has amended this measure by:

- (1) Specifying that it shall be unlawful for any person, corporation, or entity to knowingly, rather than negligently, refer or transfer patients to an uncertified or unlicensed care facility;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of 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 managers 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. 1378, 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. 1378, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Belatti, Nakashima, Kobayashi, Lamosao, and Pierick.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 24 on S.B. No. 798**

The purpose of this measure is to:

- (1) Require, as part of a developer's application for time share unit registration or annexation:
  - (A) A list of projects containing out-of-state time share units; and
  - (B) A statement that the developer has verified that those units are in compliance or not prohibited under the laws of the jurisdiction where the units are located; and
- (2) Clarify that a developer is not required to submit any other evidence of such compliance to register in the State.

Your Committee on Conference finds that the 1980 Hawaii Time Share Act's broad language has had the unintended consequence of causing the Department of Commerce and Consumer Affairs to require time share developers to provide evidence that its time share units located outside the State are compliant with the zoning and land use laws and regulations of the jurisdiction where the time share units are located. Therefore, this measure clarifies the intent of the existing law, preempts the Department's current practice, and instead requires only that a developer submit to the Department a list of projects containing out-of-state time share units and a statement that it has complied with the zoning and land use laws and regulations of the jurisdiction where its time share units are located.

Accordingly, 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. 798, 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. 798, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Quinlan, Nakashima, Kong, Sayama, and Pierick.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 2 (Kong, Pierick).

**Conf. Com. Rep. 25 on S.B. No. 691**

The purpose of this measure is to:

- (1) Authorize the Chief Energy Officer of the Hawaii State Energy Office, instead of the Director of Business, Economic Development, and Tourism, to adopt rules to enforce minimum efficiency standards for certain products and adopt or amend minimum energy standards in certain situations; and
- (2) Regulate the minimum efficiency standards for portable electric spas, residential ventilating fans, toilets, urinals, and water coolers.

Your Committee on Conference finds that the State's consumers could save millions of dollars each year on utility bills by expanding the list of products requiring minimum efficiency standards. Efficiency standards require that products use less energy and water, while maintaining product quality, and are consistent with the State's clean energy and climate goals. This measure will benefit consumers in the State by reducing utility bill costs, closing any gaps left in federal standards, and preventing manufacturers from sending appliances that do not comply with other states' efficiency standards to Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date 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 managers 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. 691, 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. 691, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Lowen, Nakashima, Cochran, Hussey-Burdick, and Ward.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Ward).

**Conf. Com. Rep. 26 on S.B. No. 162**

The purpose of this measure is to:

- (1) Add community health centers, rural health clinics, and mobile dental outreach programs to the list of eligible organizations at which persons with community service licenses may practice dental hygiene;
- (2) Allow dental hygiene and dental college graduates from educational programs that have a reciprocal agreement with the American Dental Association Commission on Dental Accreditation to apply for temporary or community service licenses; and
- (3) Expand eligibility for a community service license to practice dentistry to those candidates who have passed the Integrated National Board Dental Examination within five years of the date of request.

Your Committee on Conference finds that there is a critical need to address the significant shortage of health care professionals in the State, including dentists and dental hygienists. Your Committee on Conference further finds that it is especially crucial to increase the number of public health dentists and dental hygienists who primarily treat the State's underserved and vulnerable populations, including Medicaid recipients. This measure will improve access to dental care for these populations and alleviate the State's oral health disparities.

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. 162, 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. 162, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Keohokalole, and Aquino.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Belatti, Nakashima, Sayama, Takenouchi, and Pierick.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 27 on S.B. No. 602**

The purpose of this measure is to:

- (1) Authorize pharmacists to order, perform, and report the results of certain Clinical Laboratory Improvement Amendments of 1988 (CLIA)-waived tests; and
- (2) Specify educational and permitting requirements for the ordering, performance, and reporting the results of certain CLIA-waived tests.

Your Committee on Conference finds that the coronavirus disease 2019 pandemic highlighted the critical need for improving access to health care testing. Your Committee on Conference further finds that while pharmacists possess the skills and knowledge necessary to perform CLIA-waived tests, which are simple tests that are non-technical and present a low risk for erroneous results, the scope of practice for pharmacists under existing state law does not explicitly authorize performance of these tests. This measure amends the definition of "practice of pharmacy" under state law to specify that pharmacists may order, perform, and report the results of certain CLIA-waived tests to improve access to health care across the State.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that, for any CLIA-waived tests performed, pharmacists shall follow all applicable state laws and rules regarding the reporting of all diseases, rather than just communicable diseases; and

- (2) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 602, 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. 602, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Keohokalole, and Aquino.

Managers on the part of the Senate.

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

Representatives Nakashima, Sayama, and Pierick.

Managers on the part of the House.

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

**Conf. Com. Rep. 28 on S.B. No. 473**

The purpose of this measure is to exempt manufacturers, wholesale distributors, manufacturers engaged in direct distribution to qualified persons, and third-party logistics providers of home dialysate drugs or devices from the license, registration, and permit requirements for pharmacies, under certain conditions.

Your Committee on Conference finds that home dialysis is the best option for treating kidney failure whenever possible, due to its greater scheduling flexibility, fewer food restrictions, and better outcomes. Due to its isolated location, it is crucial for the State to have a supply chain with sufficient and immediate inventory within the State to ensure that home dialysis patients receive timely delivery of needed drugs, medical devices, and other supplies. This measure will promote greater access to home dialysate drugs and devices for patients in the State.

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. 473, 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. 473, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Keohokalole, and Moriwaki.

Managers on the part of the Senate.

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

Representatives Belatti, Nakashima, Takenouchi, and Pierick.

Managers on the part of the House.

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

**Conf. Com. Rep. 29 on S.B. No. 1344**

The purpose of this measure is to:

- (1) Replace the term “school health aides” with “school health assistants” to reflect recent changes to the job title; and
- (2) Authorize the administration of medication to public school students by health assistants with the approval of a health care professional within the Department of Education, Department of Health, or a health care service pursuant to a written agreement with the Department of Education.

Your Committee on Conference finds that the current procedure for administration of medication in public schools involves extensive oversight. While certain schools may have a medical professional such as a registered nurse, advanced practice registered nurse, or other specialized health care provider on campus, existing law prevents these health care professionals from performing the function of approving the administration of medication. This measure ensures the safety of students while also streamlining the process to administer medication.

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. 1344, 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. 1344, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Keohokalole, and Kanuha.

Managers on the part of the Senate.

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

Representatives Woodson, Sayama, La Chica, and Garcia.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 30 on S.B. No. 1468**

The purpose of this measure is to:

- (1) Authorize professional land surveyors, and any assistant under the direct supervision of a professional land surveyor, to enter onto private property to perform land surveying, subject to certain provisions regarding notice, objections, and identification; and
- (2) Shield professional land surveyors and their assistants from prosecution under criminal trespass laws when performing their duties.

Your Committee on Conference finds that professional land surveyors often require the right to access private property for the purposes of producing a thorough and complete land survey. However, without a right of entry, a professional land surveyor conducting a land survey is subject to trespass laws. In order to ensure the public's interest in maintaining a sound and uniform real property system, this measure seeks to mitigate certain risks while balancing property rights and protecting land surveying professionals.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1468, 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. 1468, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Sayama, Tarnas, Hussey-Burdick, Ichiyama, and Pierick.  
Managers on the part of the House.  
Ayes, 4; Ayes with Reservations (Hussey-Burdick). Noes, 1 (Pierick). Excused, none.

**Conf. Com. Rep. 31 on S.B. No. 478**

The purpose and intent of this measure is to repeal the telecommunications and cable industry information reporting requirements for broadband service providers and mobile radio service providers.

Your Committee on Conference finds that chapter 440J, Hawaii Revised Statutes (HRS), was enacted to meet a Federal Communications Commission (FCC) reporting requirement to determine the broadband service ability within each state. Specifically, chapter 440J, HRS, requires broadband service providers to annually report the percentage of each census block that does not have access to broadband service to the Department of Commerce and Consumer Affairs. Your Committee on Conference further finds that, not only does the FCC no longer require reporting of broadband service availability by census block, but now requires reporting broadband service availability by locations based on addresses and geographic coordinates. This housekeeping measure therefore repeals chapter 440J, HRS, as it is no longer necessary, and additionally reduces the administrative burdens of broadband service providers in the State.

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

- (1) Making conforming amendments to certain definitions rather than incorporating them by reference to section 206R-1, Hawaii Revised Statutes; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 478, 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. 478, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Perruso, Sayama, Evslin, Kapela, and Pierick.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 32 on S.B. No. 1079**

The purpose of this measure is to require courts to, upon application to the court, expunge records of convictions for first-time offenses involving:

- (1) Operating a vehicle after consuming a measurable amount of alcohol while under the age of twenty-one years; and
- (2) Certain property offenses,

if the sentencing occurred before 1998.

Your Committee on Conference finds that any individual who has committed the offense of operating a vehicle after consuming a measurable amount of alcohol while under the age of twenty-one before 1998 or committed certain property offenses before 1998, is now in a different place in their life. While the offenses occurred over twenty-five years ago, these individuals are otherwise forced to continue to suffer the harsh consequences of being burdened with a criminal record when engaging in common activities, such as finding employment, having educational opportunities, or being provided housing options. This measure will assist many people by improving their overall quality of life.

Your Committee on Conference has amended the measure by making it effective on July 1, 2025.

As affirmed by the record of votes of the managers 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. 1079, 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. 1079, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Gabbard, and San Buenaventura.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Tarnas, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

#### **Conf. Com. Rep. 33 on S.B. No. 51**

The purpose of this measure is to increase the amount of fines that may be assessed against noncandidate committees for violations of organizational report and advertisement disclosure requirements.

Your Committee on Conference finds that campaign spending and disclosure requirements are important to the electoral process. Increasing fines for violations of reporting laws will increase compliance with these laws. This measure will help restore public trust in the state government.

Your Committee on Conference has amended this measure by making it effective on July 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. 51, 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. 51, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Nishimoto, Takayama, and Alcos.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

#### **Conf. Com. Rep. 34 on S.B. No. 1493**

The purpose of this measure is to prohibit, during legislative sessions and shortly before and after, lobbyist contributions and expenditures, and promises of contributions or expenditures, to any elected official, candidate, candidate committee, or individual who is required to file an organizational report with the Campaign Spending Commission.

Your Committee on Conference finds that contributions made during legislative sessions, including extended sessions or special sessions, can create the perception that the contribution has the intent or effect of influencing decisions being taken on pending legislation. Restricting lobbyists from donating to an elected official during a legislative session will further the goal of reducing undue influence and its appearance.

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. 1493, 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. 1493, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 35 on S.B. No. 19**

The purpose of this measure is to guarantee the vote of eligible voters who cast their ballot and then subsequently die or otherwise become ineligible before election day.

Your Committee on Conference finds that the State's vote by mail process does not have procedures for validating mail-in ballots cast by eligible voters who thereafter became ineligible. This measure ensures that voters who are eligible to vote and cast their ballot, then subsequently become ineligible to vote due to valid reasons, have their vote counted.

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. 19, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 19, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Elefante, and San Buenaventura.

Managers on the part of the Senate.

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

Representatives Tarnas, Holt, Kong, Takayama, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 36 on S.B. No. 141**

The purpose of this measure is to:

- (1) Update rules for certification of electors and their votes to be in full compliance with federal law;
- (2) Provide procedures for the replacement of electors;
- (3) Require presidential electors to take a pledge that they will vote for their party's nominee;
- (4) Invalidate the vote of any faithless elector; and
- (5) Remove any faithless elector from the position of elector.

Your Committee on Conference finds that electors who do not cast votes for the candidates they were elected to vote for, thereby acting faithlessly, are acting in violation of democratic values by subverting the will of the people. This measure will protect the choices for president and vice president made by the people of the State during a presidential general election.

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. 141, 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. 141, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Elefante, and Gabbard.

Managers on the part of the Senate.

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

Representatives Tarnas, Takayama, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 37 on S.B. No. 390**

The purpose of this measure is to repeal the sunset date of section 2 of Act 119, Session Laws of Hawaii 2021 (Act 119), thereby making permanent:

- (1) The requirement that the Hawaii Medical Board issue licenses in four levels of emergency response practice in counties with a population of five hundred thousand or greater; and
- (2) The creation of an additional licensure category for Emergency Medical Technicians 1, who are certified at a higher practice level than Emergency Medical Technicians but do not provide ambulance services.

Your Committee on Conference finds that Emergency Medical Technicians certified by the National Registry of Emergency Medical Technicians provide on-the-scene, lifesaving care to critical care patients. However, until the enactment of Act 119, state law relating to the licensing or certification of emergency medical personnel contained no licensure category for Emergency Medical Technicians whose sole certification is that from the National Registry of Emergency Medical Technicians. Act 119, which temporarily established an additional licensure category for these Emergency Medical Technicians, is scheduled to sunset on July 1, 2027. This measure repeals this sunset date, thereby making permanent the authority given to the Hawaii Medical Board to license Emergency Medical Technicians, in recognition of their vital role in the comprehensive emergency medical system.

Your Committee on Conference has amended this measure by inserting an effective date of July 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. 390, 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. 390, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, Keohokalole, and Moriwaki.

Managers on the part of the Senate.

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

Representatives Belatti, Sayama, Hussey-Burdick, and Pierick.

Managers on the part of the House.

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

**Conf. Com. Rep. 38 on S.B. No. 799**

The purpose of this measure is to:

- (1) For time share plans that use title holding trusts, require the developer to submit a title report evidencing that the title is vested in the trustee;
- (2) For time share plans that use a notice of time share plan, require the recordation of the notice and its submission; and
- (3) For time share plans that use alternative arrangements, require the recordation of any alternative arrangement documents.

Your Committee on Conference finds that under existing law, a developer's application for registration of a time share plan is required to include a title report or other evidence of title. The State's law governing time sharing plans requires that the rights of time share owners be protected from blanket liens, such as mortgages, that could deprive the time share owners of the use of the time share units in the event of a foreclosure. Accordingly, the time share industry has implemented various means to ensure that a time share owner's right to use the time share is protected, such as title-holding trusts, notice of time share plan, and other alternative arrangements. In these cases, developers are required to submit an update to the title report; however, once a title report has sufficiently evidenced blanket protections are in place, further evidence of conveyance is not needed. This measure removes unnecessary regulatory burdens if a method of protecting buyers is satisfied.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have authorized the Director of Commerce and Consumer Affairs to require the submission of title reports for purposes other than to evidence protection against future blanket liens and replacing it with language that clarifies a time share developer shall not thereafter be required to submit additional title reports that meet certain requirements unless otherwise required by other sections of chapter 514E, Hawaii Revised Statutes; 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. 799, 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. 799, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, McKelvey, and Awa.

Managers on the part of the Senate.

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

Representatives Quinlan, Nakashima, Kong, Sayama, and Pierick.

Managers on the part of the House.

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

**Conf. Com. Rep. 39 on S.B. No. 930**

The purpose of this measure is to:

- (1) Allow a landlord or landlord's agent to charge an application screening fee for certain applicants at the time a rental application is processed for a dwelling unit;
- (2) Require the landlord or landlord's agent to return any unauthorized fee amounts to the applicant; and
- (3) Beginning May 1, 2024, require the Office of Consumer Protection to produce and make available informational materials and publicize requirements regarding application fees and related rights and obligations.

Your Committee on Conference finds that existing law does not regulate the nature and amount of application fees that landlords may charge prospective tenants. The absence of such regulation has led to abuses by landlords who charge applicants more than the cost of an application screening fee. This measure will deter this deleterious conduct by directly addressing this inequity, while still enabling landlords and their agents to complete reference checks, tenant reports, and credit reports on applicants.

Your Committee on Conference has amended this measure by:

- (1) Inserting language that requires the landlord or the landlord's agent, upon request by an applicant, to provide a receipt of payment and a breakdown of the costs associated with the application screening fee;
- (2) Inserting an effective date of July 1, 2023; provided that section 1 of this measure shall take effect on May 1, 2024; 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. 930, 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. 930, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Richards, and Awa.

Managers on the part of the Senate.

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

Representatives Hashimoto, Sayama, Aiu, Marten, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 40 on H.B. No. 11**

The purpose of this measure is to:

- (1) Clarify when the disclosure of pertinent provisions of condominium project instruments must occur;
- (2) Specify that primary plan documents be listed in the public disclosure statement of a time share plan; and
- (3) Provide that a consultant's review of encumbrances shall be waived upon the certification from the developer that the time share interest is free and clear of blanket liens or that identifies all blanket liens.

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. 11, 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. 11, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, McKelvey, and Awa.

Managers on the part of the Senate.

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

Representatives Quinlan, Nakashima, Kong, Lamosao, Sayama, and Pierick.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 2 (Kong, Pierick).

**Conf. Com. Rep. 41 on H.B. No. 1091**

The purpose of this measure is to require disclosure of all permitted and unpermitted erosion control structures on the parcel, expiration dates of any permitted structures, any notices of alleged violation associated with the parcel, any fines for expired permits or unpermitted structures associated with the parcel, and the annual coastal erosion rate for the zoning lot in real estate transactions when residential real property lies adjacent to the shoreline.

Your Committee on Conference has amended this measure by:

- (1) Removing the disclosure requirement for the annual coastal erosion rate for the zoning lot; and
- (2) Changing its effective date to November 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. 1091, 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. 1091, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Keohokalole, and Elefante.

Managers on the part of the Senate.

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

Representatives Ichiyama, Tarnas, Poepoe, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 42 on H.B. No. 1088**

The purpose of this measure is to amend the conditions, manner, and areas in which the Commission on Water Resource Management (Commission) of the Department of Land and Natural Resources can declare water shortages and emergencies.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Commission may declare an emergency if the Commission determines, in consultation with the appropriate county and the Department of Health, that there is an absence of sufficient quantity and quality of water in any area, whether within or outside of a water management area, that immediately threatens the public health, safety, and welfare;
- (2) Providing that an emergency order of the Commission expires no later than one year after it has been issued by the Commission, unless extended by a separate or supplementary order;
- (3) Changing its effective date to upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers 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. 1088, 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. 1088, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Rhoads, and Elefante.

Managers on the part of the Senate.

Ayes, 3; Ayes with Reservations (Elefante). Noes, none. Excused, none.

Representatives Ichiyama, Tarnas, Ilagan, Poepoe, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 43 on H.B. No. 717**

The purpose of this measure is to prohibit, under certain circumstances, state employees from taking or participating in certain actions related to the public employment of, or award of contracts to, relatives or household members.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that an employee cannot participate in an interview or discussion regarding the retention of a relative or household member;
- (2) Excluding employees or agencies of the legislative or judicial branch of the State from the prohibition; 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. 717, 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. 717, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Rhoads, and Fevella.

Managers on the part of the Senate.

Ayes, 2; Ayes with Reservations (Rhoads). Noes, none. Excused, 1 (Fevella).

Representatives Tarnas, Takayama, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 44 on H.B. No. 463**

The purpose of this measure is to lower the threshold for disclosure of campaign expenditures by noncandidate committees to \$100.

Your Committee on Conference has amended this measure by:

- (1) Amending the preamble;
- (2) Changing the disclosure threshold amount to \$500;
- (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. 463, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 463, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Elefante, and Awa.

Managers on the part of the Senate.

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

Representatives Tarnas, Kitagawa, Takayama, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 45 on H.B. No. 1294**

The purpose of this measure is to require all candidates for public office in the State to use their legal name for election purposes.

Your Committee on Conference has amended this measure by:

- (1) Deleting its contents and inserting language that requires the Office of Elections and Campaign Spending Commission to include a candidate's legal name wherever the name requested to be printed on the ballot is used, except on the ballot;
- (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. 1294, 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. 1294, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Gabbard, and San Buenaventura.

Managers on the part of the Senate.

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

Representatives Tarnas, Takayama, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 46 on H.B. No. 1502**

The purpose of this measure is to limit, with certain exceptions, the compelled disclosure of sources or unpublished information by journalists, newscasters, and persons participating in the collection or dissemination of news or information of substantial public interest.

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. 1502, 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. 1502, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, San Buenaventura, and Awa.

Managers on the part of the Senate.

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

Representatives Tarnas, Takayama, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 47 on H.B. No. 1027**

The purpose of this measure is to align the State's Money Transmitters Modernization Act with the provisions of the Model Money Transmission Modernization Act to enable the State to work within a network of states to license, supervise, and examine transglobal money transmission companies as a multi-state system of financial regulation.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 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. 1027, 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. 1027, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Fukunaga, and Awa.

Managers on the part of the Senate.

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

Representatives Holt, Nakashima, Kong, Lamosao, Sayama, and Pierick.

Managers on the part of the House.

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

**Conf. Com. Rep. 48 on H.B. No. 1509**

The purpose of this measure is to:

- (1) Establish a Planned Community Association Oversight Task Force to examine the rights afforded to owners in condominium property regimes and determine the feasibility of extending any of those rights to members of planned community associations; and
- (2) Establish a Condominium Property Regime Task Force to examine and evaluate issues regarding condominium property regimes and conduct an assessment of the existing alternative dispute resolution systems for condominiums.

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. 1509, 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. 1509, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, McKelvey, and Awa.

Managers on the part of the Senate.

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

Representatives Hashimoto, Tam, Aiu, Onishi, Sayama, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 49 on H.B. No. 217**

The purpose of this measure is to:

- (1) Update the cost valuations of work on certain residences to allow the work to qualify for an exemption from the requirement that plans and specifications for construction projects be prepared by a licensed engineer or architect; and
- (2) Clarify the types of work that are not exempt from the requirement that plans be prepared by a licensed engineer or architect.

Your Committee on Conference has amended this measure by:

- (1) Increasing the cost valuations to qualify for an exemption from the requirement that plans and specifications for construction projects be prepared by a licensed engineer or architect for privately owned or privately controlled one-storied residences and two-storied residences to \$180,000 and \$162,000, respectively;
- (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. 217, 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. 217, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Keohokalole, and Awa.

Managers on the part of the Senate.

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

Representatives Hashimoto, Sayama, Aiu, Evslin, Hussey-Burdick, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 50 on H.B. No. 781**

The purpose of this measure is to require that when an officer has custody of a child under eighteen years of age for an alleged violation of law, the child shall have contact with legal counsel and, to the extent practicable, a parent, guardian, or legal custodian before the child waives any constitutional rights and before any custodial interrogation.

Your Committee on Conference has amended this measure by:

- (1) Amending its preamble; 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. 781, 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. 781, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, Rhoads, and Shimabukuro.

Managers on the part of the Senate.

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

Representatives Mizuno, Tarnas, Amato, Ilagan, and Garcia.  
Managers on the part of the House.  
Ayes, 5; Ayes with Reservations (Garcia). Noes, none. Excused, none.

**Conf. Com. Rep. 51 on H.B. No. 1045**

The purpose of this measure is to:

- (1) Adjust the responsibility of producing a certificate of release when transferring schools from the minor student to the student's parent or legal guardian, unless the student is an emancipated minor; and
- (2) Exempt students eligible for assistance provided under the federal McKinney-Vento Homeless Assistance Act of 1987 from producing required student records when transferring schools.

Your Committee on Conference has amended this measure by changing the effective date to January 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 H.B. No. 1045, 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. 1045, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Elefante, and Kanuha.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Tarnas, La Chica, Marten, and Garcia.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 52 on H.B. No. 218**

The purpose of this measure is to require:

- (1) Dispensing pharmacies to provide accessible prescription drug label information to individuals who have difficulty seeing or reading labels on prescription drug containers;
- (2) Dispensing pharmacies to make sustained, periodic, and reasonable efforts to inform the public that prescription drug label information is available in alternative accessible formats; and
- (3) The Board of Pharmacy to adopt rules by December 31, 2024, to carry out the purposes of this measure.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 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. 218, 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. 218, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Belatti, Nakashima, Amato, and Pierick.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 1 (Pierick).

**Conf. Com. Rep. 53 on H.B. No. 950**

The purpose of this measure is to:

- (1) Extend the time period that the Family Court may order continued assisted community treatment; and
- (2) Reduce the time period that the Family Court needs to determine whether assisted community treatment should continue from one hundred eighty days to one hundred days.

Your Committee on Conference has amended this measure by:

- (1) Authorizing psychiatrists or advanced practice registered nurses, after examination of a person for assisted community treatment indication, to request assistance from the Attorney General to file an assisted community treatment petition;
- (2) Requiring the Family Court to set any subsequent hearing dates for an assisted community treatment petition as soon as possible;
- (3) Authorizing the Family Court to use online hearings for assisted community treatment petitions;
- (4) Extending the time period that the Family Court may order continued assisted community treatment to two years;

- (5) Clarifying provision of notice requirements for assisted community treatment petitions;
- (6) Authorizing any interested party to request assistance from the Attorney General to file a petition for an extension of assisted community treatment;
- (7) Changing the effective date to July 1, 2023; 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. 950, 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. 950, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Rhoads, and Shimabukuro.

Managers on the part of the Senate.

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

Representatives Belatti, Tarnas, Lamosao, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 54 on S.B. No. 105**

The purpose of this measure is to change the Department of Education's required quarterly report on autism spectrum disorder to an annual report.

Your Committee on Conference finds that Act 205, Session Laws of Hawaii 2018, mandates that the Department of Education create a quarterly report that includes information on students with autism spectrum disorder, staffing requirements, and Medicaid reimbursements. However, few changes are reflected between each period. This measure provides for a streamlined data reporting process to create a single comprehensive annual report.

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. 105, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 105, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Elefante, and Fevella.

Managers on the part of the Senate.

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

Representatives Woodson, Tarnas, La Chica, Marten, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 55 on S.B. No. 410**

The purpose of this measure is to:

- (1) Prohibit the Director of Transportation and Traffic and Emergency Period Violations Bureaus of the District Courts from furnishing information related to dismissed traffic citations; and
- (2) Require the court to automatically seal or remove from the Judiciary's publicly accessible databases any information relevant to the arrest or case of a person for whom an expungement order has been entered and transmitted to the court.

Your Committee on Conference finds that court records that have been expunged from a person's record may still be accessed by others. Such information should not appear on an individual's record as they can be regarded negatively and have a significant and long-lasting impact on a person's future. However, there is no process currently available to request traffic citations that have been expunged to be excluded from a person's record. This measure will streamline the process for people who need their records to be expunged.

Your Committee on Conference has amended this measure by:

- (1) Removing language that would have prohibited the Director of Transportation and Traffic and Emergency Period Violations Bureaus of the District Courts from furnishing information related to dismissed traffic citations;
- (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 managers 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. 410, 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. 410, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, San Buenaventura, and Awa.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Nakashima, Tarnas, Hussey-Burdick, Takayama, and Pierick.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 56 on S.B. No. 933**

The purpose of this measure is to:

- (1) Authorize the family courts to allow petitioners to attend temporary restraining order (TRO) hearings remotely upon request;
- (2) Require the courts to consider certain factors; and
- (3) Require the courts to allow petitioners who allege domestic abuse to attend TRO hearings remotely.

Your Committee on Conference finds that though TRO petitions are initially acted upon by a family court judge without a court hearing, a mandatory hearing is held within fifteen days of a TRO being granted in order to determine whether the TRO should remain in effect. The adversarial nature of the legal system requires petitioners who have received TROs to face their alleged abusers in court during these hearings. Your Committee on Conference also finds that, notwithstanding the safety protocols that the Judiciary takes to protect parties during in-person TRO hearings, the physical presence of the parties within the same room may allow for respondents to intimidate petitioners through words or body language. This measure allows petitioners who allege domestic abuse to attend TRO hearings remotely, which will promote greater safety, economic justice, and equitable access to the courts for victims of domestic abuse.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the court shall allow the petitioner to attend the hearing remotely if the petitioner's allegations include at least one allegation of domestic abuse as defined in section 586-1, Hawaii Revised Statutes; and in cases where the petitioner's allegations do not include at least one allegation of domestic abuse, the court may allow the petitioner to attend the hearing remotely, with consideration of factors such as the petitioner's lack of transportation, child care, and paid time off, as well as the petitioner's fear of the respondent's presence; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 933, 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. 933, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 57 on S.B. No. 944**

The purpose of this measure is to:

- (1) Require the Department of the Attorney General to convene a task force to recommend amendments to update existing parentage laws that reflect cisheteronormative concepts of families, parenthood, and parental rights; and
- (2) Require an interim and final report to the Legislature.

Your Committee on Conference finds that existing parentage laws reflect outdated concepts of families, parenthood, conception and gestation, and parental rights. This measure establishes a new task force that builds upon the work of the task force previously established by Act 201, Session Laws of Hawaii 2021, to recommend amendments that update existing paternity laws, which will provide a more certain path and inclusion under the law for same sex couples, single parents, and children born through assisted reproductive technology and surrogacy.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the Department of the Attorney General shall convene a task force to recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated concepts of families, parenthood, conception and gestation, and parental rights;
- (2) Adding to the task force an individual with personal knowledge of surrogacy; 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. 944, 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. 944, S.D. 1, H.D. 2, C.D. 1.



Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Elefante, and San Buenaventura.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

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

**Conf. Com. Rep. 58 on S.B. No. 1340**

The purpose of this measure is to:

- (1) Beginning August 1, 2024:
  - (A) Reinstate and make permanent the exemption from the behavior analyst licensing requirements for certain teachers working in collaboration with a licensed behavior analyst or licensed psychologist;
  - (B) Expand the exemption for registered behavior technicians to implement applied behavior analysis services under the direction of a licensed psychologist; and
  - (C) Reinstate and make permanent the exemption from the behavior analyst licensing requirements for individuals who implement applied behavior analysis services to participants in the Medicaid Home and Community-Based Services Waiver Program; and
- (2) Require the Department of Education to report to the Legislature on the status of implementing Medicaid reimbursements for applied behavior analysis services.

Your Committee on Conference finds that the Department of Education is experiencing a shortage of licensed behavior analysts to provide adequate support to students in the public school system. This measure increases student access to applied behavior analysis services by expanding the types of individuals who may implement applied behavior analysis services in the State without obtaining a behavior analyst license under certain conditions.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have made the amendments to existing law that governs exemptions from the behavior analyst licensing requirements effective August 1, 2024;
- (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. 1340, 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. 1340, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Keohokalole, and Shimabukuro.  
Managers on the part of the Senate.  
Ayes, 2. Noes, none. Excused, 1 (Shimabukuro).

Representatives Woodson, Belatti, Sayama, La Chica, and Pierick.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (La Chica).

**Conf. Com. Rep. 59 on S.B. No. 1057**

The purpose of this measure is to:

- (1) Require certain job listings to disclose the hourly rate or salary range that reasonably reflects the actual expected compensation; and
- (2) Prohibit an employer from discriminating between employees because of any protected category established under state law by paying wages to employees in an establishment at a rate less than the rate at which the employer pays wages to other employees in the establishment for substantially similar work.

Your Committee on Conference finds that many employment listings are not transparent about the pay or salary to be offered to the prospective employee. Secrecy around compensation perpetuates the continued discrimination against all workers, and especially for women and people of color. Although requiring employers to disclose the hourly rate or salary range in a job listing would help reduce pay inequalities between employees in protected categories who perform substantially similar work as other employees, your Committee on Conference notes concerns that requiring pay rates in job listings may put smaller and local employers at a significant recruiting disadvantage.

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

- (1) Clarifying that the requirement to disclose the hourly rate or salary range that reasonably reflects the actual expected compensation does not apply to job listings for positions with employers having fewer than fifty employees; and
- (2) Making it effective on January 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. 1057, 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. 1057, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Holt, Matayoshi, Tarnas, Lamosao, and Alcos.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 60 on S.B. No. 966**

The purpose of this measure is to subject to forfeiture any vehicle used in the commission of felony disposal of solid waste or petty misdemeanor disposal of solid waste.

Your Committee on Conference finds that vehicles are typically involved and required in the illegal dumping and transport of solid waste. Illegal and improper dumping, especially of hazardous materials and construction and demolition waste, can pollute the environment, thereby harming human health and incurring economic consequences. This measure therefore authorizes the forfeiture of any vehicle owned and operated by a person in the commission of an illegal dumping offense to curb, deter, and prevent further illegal dumping operations in the State.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 966, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 966, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Lowen, Tarnas, Cochran, Takayama, and Ward.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 61 on S.B. No. 655**

The purpose of this measure is to authorize the Department of Agriculture to align state hemp production administrative rules with federal exemptions for fiber, fuel, and seed grain hemp crops.

Your Committee on Conference finds that the hemp industry in Hawaii is overburdened by federal and state regulations that stifle growth and production, the extent to which consumers and retailers often resort to purchasing more readily available and affordable hemp overseas. Your Committee on Conference further recognizes that hemp is a viable and resourceful crop with a myriad of valuable uses and therefore, seeks to reduce the regulatory burdens that undermine the success of Hawaii's hemp industry. Therefore, this measure authorizes the Department of Agriculture to align state hemp production administrative rules with federal rules to reduce the regulation that burdens the industry in Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Specifying that hemp shall not be grown within three hundred feet of a pre-existing playground, child care facility, or school;
- (2) Specifying that hemp shall not be grown within one hundred feet of a pre-existing house, dwelling unit, residential apartment, or other residential structure not owned by the grower; 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. 655, 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. 655, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Wakai, Rhoads, and Richards.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, none.

Representatives Gates, Tarnas, Chun, Kahaloa, and Ward.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 62 on S.B. No. 637**

The purpose of this measure is to require persons applying to register as hemp processors to include with their application documentation that the processing does not include heat or volatile compounds or gases under pressure, such as cold-water extraction and is exempt from certain building permit and building code requirements, or documentation that the planned hemp processing operation is in a food hub or agricultural park.

Your Committee on Conference finds that prior to 2021, hemp producers in the State processed small batches of hemp on their farms in structures that were exempt from certain building permit and building code requirements without adverse consequence. However, Act 14, Session Laws of Hawaii 2022, required hemp and hemp products to be processed within an enclosed indoor facility to prevent unauthorized entry, requiring hemp farmers to rely on off-site hemp processing, which has created additional processing and shipping costs while diminishing the overall quality of transported hemp crops. Therefore, the intent of this measure is to allow licensed hemp farmers to once again process hemp on their farms in agricultural structures and in food hubs and agricultural parks.

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. 637, 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. 637, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Gates, Nakashima, Kong, Sayama, and Ward.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 2 (Kong, Ward).

**Conf. Com. Rep. 63 on H.B. No. 161**

The purpose of this measure is to establish that the representative of labor on the Hawaii Labor Relations Board shall be a person selected by a majority of the exclusive representatives of the collective bargaining units.

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. 161, 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. 161, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Matayoshi, Tarnas, Garrett, and Alcos.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 64 on H.B. No. 978**

The purpose of this measure is to amend the procurement laws relating to the purchase of health and human services by:

- (1) Clarifying the requirements for health and human services treatment services purchased by the State;
- (2) Transferring certain duties from the Administrator of the State Procurement Office to the heads of health and human services purchasing agencies; and
- (3) Changing the small purchase threshold for health and human services from less than \$25,000 to an amount less than the threshold established in section 103D-305(a), Hawaii Revised Statutes, for goods and services.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers 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. 978, 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. 978, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators McKelvey, San Buenaventura, Moriwaki, Aquino, and Awa.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

Representatives Matayoshi, Sayama, Garrett, Hussey-Burdick, and Alcos.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Hussey-Burdick).

**Conf. Com. Rep. 65 on H.B. No. 369**

The purpose of this measure is to exempt a public utility and water carrier from obtaining the required Public Utilities Commission authorization when the public utility or water carrier is:

- (1) Disposing of a fully depreciated asset or property with a zero net book value that is no longer used or useful, with certain conditions; or
- (2) Donating a fully depreciated asset or property with zero net book value to a charitable or nonprofit organization.

Your Committee on Conference has amended this measure by:

- (1) Deleting the condition that the fully depreciated asset or property be no longer used or useful when a public utility or water carrier disposes of the asset or property;
- (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. 369, 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. 369, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Nakashima, Hashem, Onishi, and Pierick.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 66 on S.B. No. 193**

The purpose of this measure is to add to the membership of the State Fire Council, and to the membership of advisory committees that the Council may appoint, representatives from the Hawaii State Aircraft Fire Fighting Unit and the Division of Forestry and Wildlife of the Department of Land and Natural Resources to reflect all non-federal fire fighting agencies in the State.

Your Committee on Conference finds that the Hawaii State Aircraft Firefighting Unit and the Department of Land and Natural Resources Division of Forestry and Wildlife cooperate and communicate with the county fire departments on a regular basis, providing specialty expertise and equipment in emergent and non-emergent environments. This measure will benefit the State Fire Council by allowing the Hawaii State Aircraft Firefighting Unit and the Department of Land and Natural Resources Division of Forestry and Wildlife to provide unique perspectives and greater insight into the protection of persons and property against fire in the State.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 193, 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. 193, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Matayoshi, Poepoe, Garrett, Tam, and Alcos.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 67 on S.B. No. 732**

The purpose of this measure is to designate the second Monday in October of each year as Indigenous Peoples' Day.

Your Committee on Conference finds that efforts to replace Columbus Day with Indigenous Peoples' Day or Native American Day began in 1990 and have since spread to seventeen states and the District of Columbia. Presently, Hawaii does not celebrate Columbus Day, but instead observes Discoverers' Day "in recognition of the Polynesian discoverers of the Hawaiian islands". Your Committee on Conference finds that by observing Indigenous Peoples' Day in Hawaii, the State can continue to recognize and celebrate the contributions made by the original inhabitants of Hawaii, honor the various cultures that form Hawaii today, and join in solidarity with the global community to honor indigenous peoples around the world.

Accordingly, 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. 732, 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. 732, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tam, Kila, Kahaloa, Kapela, Poepoe, and Alcos.  
Managers on the part of the House.  
Ayes, 6. Noes, none. Excused, none.

**Conf. Com. Rep. 68 on S.B. No. 182**

The purpose of this measure is to:

- (1) Amend the filing deadline for disclosures of financial interests by certain candidates;
- (2) Amend the penalty for the unauthorized release of confidential financial disclosure information; and
- (3) Amend the fines imposed and procedures relating to disclosures of financial interests.

Your Committee on Conference finds that the failure of certain public officials, employees, and candidate to submit a financial disclosure results in administrative fines. However, collection of those fines is a lengthy process that can become cumbersome if there are multiple outstanding unfiled financial disclosures. This measure streamlines the enforcement process for financial disclosure penalties.

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. 182, 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. 182, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Nishimoto, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 69 on H.B. No. 349**

The purpose of this measure is to:

- (1) Expand the original jurisdiction of the Family Court to include proceedings concerning the emancipation of minors;
- (2) Specify the rights of an emancipated minor; and
- (3) Establishing procedures for the emancipation of minors.

Your Committee on Conference has amended this measure by:

- (1) Requiring any state agency, rather than a youth service organization recognized by the Department of Human Services, to file a petition on behalf of a minor seeking emancipation;
- (2) Removing the requirement that the Family Court require a minor petitioning for emancipation to undergo a mental health evaluation;
- (3) Removing the requirement that the minor or the minor's parents or guardian pay for the court-ordered mental health evaluation;
- (4) Changing the effective date to January 1, 2024; 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. 349, 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. 349, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, San Buenaventura, and Awa.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Mizuno, Tarnas, Takenouchi, Amato, and Garcia.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 70 on H.B. No. 1184**

The purpose of this measure is to provide a process by which agencies may procure professional services when fewer than three qualified persons respond to an additional solicitation.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the process when fewer than three qualified persons respond;
- (2) Changing the effective date to upon approval; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1184, 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. 1184, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 71 on S.B. No. 1151**

The purpose of this measure is to exempt University of Hawaii community college students enrolled in certificate programs from the requirement to complete the Free Application for Federal Student Aid (FAFSA) each academic year to be considered eligible for the Hawaii Community College Promise Program.

Your Committee on Conference finds that the Hawaii Community College Promise Program increases access to the University of Hawaii for individuals otherwise unable to afford higher education. Currently, students must complete the FAFSA to qualify for the program. This requirement can present a challenge for students enrolled in certificate programs, including students with developmental disabilities. This measure therefore removes this barrier to accessing financial assistance to allow low-income students to pursue higher education.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2023; 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. 1151, 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. 1151, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Perruso, Kobayashi, Evslin, Kapela, and Garcia.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 72 on S.B. No. 151**

The purpose of this measure is to:

- (1) Require any department or agency employing a law enforcement officer to maintain a publicly available policy that provides a minimum standard on the use of force;
- (2) Allow use of force policies and training to be considered in legal proceedings involving a law enforcement officer's use of force;
- (3) Require a law enforcement officer who observes the use of force by another law enforcement officer to report the use of force; and
- (4) Require that law enforcement officers receive training designed to minimize the use of force.

Your Committee on Conference finds that ensuring that the force used by officers in the performance of duties is proper, lawful, and necessary is critical to maintain the trust of the public and for public safety. This measure will promote public trust in law enforcement and improve public safety by increasing accountability and transparency in law enforcement services.

Your Committee on Conference has amended this measure by inserting an effective date of January 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. 151, 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. 151, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Nishimoto, and Souza.  
Managers on the part of the House.  
Ayes, 3; Ayes with Reservations (Souza). Noes, none. Excused, none.

**Conf. Com. Rep. 73 on H.B. No. 1033**

The purpose of this measure is to add to the State Building Code Council one member who represents the Hawaii Emergency Management Agency, to be appointed by the Director of Hawaii Emergency Management.

Your Committee on Conference has amended this measure by changing the effective date to July 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. 1033, 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. 1033, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Inouye, and Elefante.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Sayama, Kitagawa, Hussey-Burdick, and Pierick.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 74 on H.B. No. 660**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Hawaii Pacific Health and one or more of its nonprofit affiliates in financing the costs of the construction of, improvement to, and equipping of its health care facilities at Straub Medical Center.

Your Committee on Conference has amended this measure by:

- (1) Changing the special purpose revenue bond authorization from an unspecified amount to \$240,000,000; and
- (2) Changing the effective date to July 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. 660, 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. 660, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 75 on H.B. No. 339**

The purpose of this measure is to permanently exempt nine positions in the Department of Human Services from civil service.

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. 339, 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. 339, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Aquino, Shimabukuro, and Fevella.  
Managers on the part of the Senate.

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

Representatives Mizuno, Garrett, Kobayashi, Amato, and Garcia.  
Managers on the part of the House.

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

**Conf. Com. Rep. 76 on H.B. No. 961**

The purpose of this measure is to:

- (1) Appropriate funds into and out of the Preschool Open Doors Special Fund for the Preschool Open Doors Program and Executive Office on Early Learning to expand access to preschool and implement program changes required by law;
- (2) Expand the types of entities from which a Preschool Open Doors service provider may obtain accreditation;
- (3) Expand the Preschool Open Doors Program application process to eligible three-year-old children; and
- (4) Authorize the Preschool Open Doors Special Fund to accept federal funds.

Your Committee on Conference has amended this measure by:

- (1) Deleting language which would have:
  - (A) Appropriated funds for the Preschool Open Doors Program and Executive Office on Early Learning; and
  - (B) Authorized the Preschool Open Doors Special Fund to accept federal funds; and
- (2) Changing the effective date to upon approval; provided that the provisions expanding the Preschool Open Doors Program application process to eligible three-year-old children shall take effect on January 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 H.B. No. 961, 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. 961, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

Representatives Mizuno, Woodson, Kitagawa, Amato, Marten, and Matsumoto.  
Managers on the part of the House.

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

**Conf. Com. Rep. 77 on H.B. No. 992**

The purpose of this measure is to clarify that certain funds appropriated pursuant to Act 88, Session Laws of Hawaii 2021, as amended by Act 248, Session Laws of Hawaii 2022, shall be deposited into the Affordable Homeownership Revolving Fund for the purposes for which the revolving fund was established.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers 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. 992, 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. 992, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Keith-Agaran, and Awa.  
Managers on the part of the Senate.

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

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

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

**Conf. Com. Rep. 78 on H.B. No. 674**

The purpose of this measure is to repeal the percentage requirements for the Hawaii Public Housing Authority related to the admission of applicants, with or without preferences, into federal and state low-income public housing units.

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. 674, 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. 674, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.



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

Representatives Hashimoto, Aiu, Marten, and Matsumoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 79 on H.B. No. 675**

The purpose of this measure is to require, if sufficient funding is available, the Hawaii Housing Finance and Development Corporation to open at minimum two application periods each year for the receipt of applications for affordable housing financing from the Low-Income Housing Tax Credit Program, Hula Mae Multi-Family Revenue Bond Program, Rental Housing Revolving Fund Program, and Dwelling Unit Revolving Fund Program.

Your Conference on 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. 675, 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. 675, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Hashimoto, Aiu, Onishi, and Matsumoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 80 on H.B. No. 1000**

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2023-2025 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 on Conference has amended this measure by:

- (1) Adding cost items for the members of collective bargaining unit (10) and their excluded counterparts;
- (2) Inserting the appropriate figures for fiscal biennium 2023-2025 based upon the ratified collective bargaining agreement for collective bargaining units (1) and (10) as indicated in Governor's Message No. 11, 2023;
- (3) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes; and
- (4) Changing the effective date to July 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. 1000, 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. 1000, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 81 on H.B. No. 1001**

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2023-2025 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 on Conference has amended this measure by:

- (1) Adding cost items for the members of collective bargaining units (3), (4), (6), (8), (9), (13), and (14) and their excluded counterparts;
- (2) Inserting the appropriate figures for fiscal biennium 2023-2025 based upon the tentative agreement reached for collective bargaining units (2), (3), (4), (6), (8), (9), (13), and (14) as indicated in Governor's Message No. 10, 2023, and the subsequent notification of ratification received for these bargaining units in Governor's Message No. 13, 2023;
- (3) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes; and
- (4) Changing the effective date to July 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. 1001, 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. 1001, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Representatives Matayoshi, Garrett, and Alcos.

Managers on the part of the House.

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

**Conf. Com. Rep. 82 on H.B. No. 1004**

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2023-2025 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 on Conference has amended this measure by:

- (1) Inserting the appropriate figures for fiscal biennium 2023-2025 based upon the tentative agreement reached for collective bargaining unit (5) as indicated in Governor's Message No. 9, 2023, and the subsequent notification of ratification received for the bargaining unit in Governor's Message No. 14, 2023;
- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2023; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1004, 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. 1004, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Representatives Matayoshi, Garrett, Kila, and Alcos.

Managers on the part of the House.

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

**Conf. Com. Rep. 83 on H.B. No. 1006**

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2023-2025 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 on Conference has amended this measure by:

- (1) Inserting the appropriate figures for fiscal biennium 2023-2025 based upon the ratified collective bargaining agreement reached for collective bargaining unit (7) as indicated in Governor's Message No. 8, 2023;
- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2023; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1006, 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. 1006, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Representatives Matayoshi, Garrett, and Alcos.

Managers on the part of the House.

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

**Conf. Com. Rep. 84 on H.B. No. 1010**

The purpose of this measure is to appropriate or authorize funds for fiscal biennium 2023-2025 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 on Conference has amended this measure by:

- (1) Inserting the appropriate figures for fiscal biennium 2023-2025 based upon the agreement reached for collective bargaining unit (11) as indicated in Governor's Message No. 7, 2023;
- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2023; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1010, 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. 1010, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 85 on H.B. No. 1329**

The purpose of this measure is to:

- (1) Require the Department of Education to work with certain organizations to develop and implement an active shooter training program in all public and charter schools; and
- (2) Allow public and charter school students to decline to participate in the active shooter training program.

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. 1329, 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. 1329, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, DeCoite, and Kanuha.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Tarnas, Nishimoto, Marten, and Garcia.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 2 (Tarnas, Garcia).

**Conf. Com. Rep. 86 on H.B. No. 503**

The purpose of this measure is to:

- (1) Require the Board of Education to work with the Department of Education to conduct an analysis on the need, impact, and feasibility of making computer science a graduation requirement;
- (2) Require the Board of Education to determine whether making computer science a graduation requirement would be in the best interests of public school students and the public and submit a report to the Legislature of its findings and recommendations; and
- (3) Appropriate funds for teacher professional development in computer science.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Board of Education is required to work with the Department of Education to conduct an analysis on the necessary timeline and appropriate process for implementation of making computer science a graduation requirement by no later than the 2030-2031 school year;
- (2) Requiring the Board of Education to make a determination on how students could be allowed to complete computer science courses as a substitute for core academic courses to satisfy graduation credit requirements, beginning with the 2024-2025 school year;
- (3) Deleting language which would have appropriated funds for teacher professional development in computer science;
- (4) Changing the effective date to July 1, 2023; 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. 503, 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. 503, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Wakai, and Kanuha.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Perruso, Morikawa, Kapela, and Garcia.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 87 on S.B. No. 1166**

The purpose of this measure is to authorize the renewal of driver's licenses online in addition to by mail.

Your Committee on Conference finds that driver's license renewals have become a tedious process for many Hawaii drivers. The current process for driver's license renewals requires individuals to be in-person at a driver's licensing center, a process that can take a considerable amount of time if there are many customers. This measure will make driver's license renewals more convenient and efficient while also reducing wait times and backlogs for certain drivers.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2025.

As affirmed by the record of votes of the managers 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. 1166, 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. 1166, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Nishimoto, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 88 on S.B. No. 1437**

The purpose of this measure is to authorize certain pass-through entities to elect to pay Hawaii income tax at the entity level.

Your Committee on Conference finds that the federal Tax Cuts and Jobs Act of 2017 capped the state and local tax deduction for individuals at \$10,000 for the 2018-2025 taxable years, which deprived individual taxpayers of significant federal tax benefits. Your Committee on Conference also finds that, in response, several states have enacted laws to authorize certain pass-through entities to elect to pay state income tax at the entity level, thus bypassing the \$10,000 cap amount. Your Committee on Conference believes that this measure will help Hawaii's small businesses by allowing taxpayers to deduct Hawaii state income taxes paid on their federal income tax returns.

Your Committee on Conference has amended this measure by changing the effective date to January 1, 2024, and specifying that the measure shall apply to taxable years beginning after December 31, 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. 1437, 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. 1437, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Holt, Yamashita, Lamosao, and Pierick.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 89 on S.B. No. 712**

The purpose of this measure is to appropriate funds to Windward Community College to support a level I trauma-informed certification program for adult corrections officers in the State.

Your Committee on Conference finds that a large number of the individuals in the corrections and rehabilitation system have experienced significant trauma during their lifetimes. Your Committee on Conference further finds that training in trauma-informed care for corrections professionals allows them to better connect with incarcerated individuals who have experienced trauma, which often results in improved rehabilitation outcomes and reduced recidivism rates. This measure will improve the rehabilitation of incarcerated individuals that have gone through traumatic experiences.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have appropriated funds to support a level I trauma-informed certification program at the University of Hawaii Windward Community College for adult corrections officers;
- (2) Establishing a trauma-informed certification program at the Windward Community College campus of the University of Hawaii for adult corrections officers;
- (3) Requiring the Department of Public Safety to collaborate and provide support to the University of Hawaii in establishing a trauma-informed certification program at Windward Community College;
- (4) Allowing the Department of Public Safety, as the designated expending agency for moneys appropriated for a level I trauma-informed certification program to be funded by operating funds authorized during the Regular Session of 2023, to delegate to the University of Hawaii Windward Community College projects related or similar to the level I trauma-informed certification program;
- (5) Clarifying the legislative findings to indicate that the need for the certification program is a matter of statewide concern;
- (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. 712, 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. 712, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Kim, Moriwaki, and Elefante.

Managers on the part of the Senate.

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

Representatives Hashem, Chun, Ichiyama, Morikawa, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 90 on S.B. No. 210**

The purpose of this measure is to establish a criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository to:

- (1) Facilitate collaborative decision-making, coordinated planning, and cooperative implementation among criminal justice agencies and relevant partners;
- (2) Support the fair, efficient, and effective operation of the criminal justice system;
- (3) Promote interoperability through the use of common elements;
- (4) Allow agencies to securely and efficiently share appropriate information; and
- (5) Support criminal justice and other purposes, including improved public safety and homeland security, while respecting the privacy of citizens.

Your Committee on Conference finds that the State lacks a common repository for tracking data related to the criminal justice system. Your Committee on Conference further finds that all state and county criminal justice agencies plan, design, procure, implement, and operate their own separate information systems. As such, data sharing frequently consists of one-off solutions and often requires grants and outside contractors. The working group established by this measure will improve the timely sharing of information between police, prosecutors, attorneys, and the courts.

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. 210, 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. 210, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Rhoads, Kidani, and Elefante.

Managers on the part of the Senate.

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

Representatives Tarnas, Nishimoto, Takayama, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 91 on S.B. No. 759**

The purpose of this measure is to:

- (1) Require the Office of Primary Care and Rural Health to oversee and support community efforts to collaboratively address the health and wellness needs of the State's most underserved rural residents and develop plans that align with appropriate providers' goals and objectives; and

- (2) Appropriate funds for the establishment of permanent full-time equivalent positions within the Department of Health's Family Health Services Division.

Your Committee on Conference finds that rural residents often face barriers to accessing health care. To address these barriers, comprehensive health care coordination across preventative and primary health care, specialty care, and urgent and emergency care is necessary in medically underserved areas. To facilitate this coordination and the development of a strong health network, this measure provides governmental support to existing community efforts to respond to the health care needs of rural residents.

Your Committee on Conference has amended this measure by:

- (1) Removing language that would have appropriated funds for an unspecified number of permanent full-time equivalent Program Specialist IV positions within the Department of Health's Family Health Services Division;
- (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. 759, 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. 759, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Inouye, and Aquino.

Managers on the part of the Senate.

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

Representatives Belatti, Takenouchi, Amato, Morikawa, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 92 on S.B. No. 1357**

The purpose of this measure is to:

- (1) Make permanent Act 141, Session Laws of Hawaii 2009, as amended (Act 141), which requires the counties to issue affordable housing credits to the Department of Hawaiian Home Lands upon request; and
- (2) Make permanent Act 98, Session Laws of Hawaii 2012, as amended (Act 98), which requires the counties to issue affordable housing credits for each residential unit developed by the Department of Hawaiian Home Lands.

Your Committee on Conference finds that the affordable housing credit programs pursuant to Act 141 and Act 98 have enabled the Department of Hawaiian Home Lands to attract more developer-financed projects. Through these projects, the Department has been able to award and deliver homesteads to beneficiaries more affordably and at an accelerated rate. Your Committee on Conference finds that despite the success of Act 141 and Act 98, they are both set to sunset in 2024. Therefore, this measure extends the affordable housing credit programs pursuant to Act 141 and Act 98 for the Department of Hawaiian Home Lands.

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

- (1) Extending the sunset dates for Act 141 and Act 98 to July 1, 2030, rather than making them permanent;
- (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. 1357, 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. 1357, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Rhoads, DeCoite, and Fevella.

Managers on the part of the Senate.

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

Representatives Hashimoto, Yamashita, Aiu, Kila, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 93 on H.B. No. 278**

The purpose of this measure is to appropriate funds for the Executive Office on Aging to create an Alzheimer's disease and related dementias public health campaign.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$1,000,000 for the Alzheimer's disease and related dementias public health campaign;

- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (3) Changing the effective date to July 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. 278, 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. 278, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, Kanuha, and Moriwaki.

Managers on the part of the Senate.

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

Representatives Belatti, Kila, Chun, Kobayashi, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 94 on H.B. No. 1255**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist West Maui Hospital Foundation, Inc., in the construction of West Maui Hospital and Medical Center, including any necessary infrastructure.

Your Committee on Conference has amended this measure by:

- (1) Deleting the requirement that the County of Maui serve as a guarantor of any debt service on the special purpose revenue bonds;
- (2) Changing the effective date to July 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. 1255, 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. 1255, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, Kanuha, and Moriwaki.

Managers on the part of the Senate.

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

Representatives Belatti, Cochran, Amato, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 95 on H.B. No. 451**

The purpose of this measure is to:

- (1) Amend Act 125, Session Laws of Hawaii 2022, to extend the time to expend appropriations for the establishment of a pilot visitation and family resource center at Waiawa Correctional Facility on Oahu;
- (2) Make conforming amendments related to the establishment of the Department of Corrections and Rehabilitation; and
- (3) Appropriate additional funds to implement the pilot visitation and family resource center at Waiawa Correctional Facility.

Your Committee on Conference has amended this measure by:

- (1) Restoring the appropriation amounts of \$305,000 and \$115,000, respectively, in Act 125, Session Laws of Hawaii 2022;
- (2) Deleting language that would have appropriated funds to operate the pilot visitation and family resource center at Waiawa Correctional Facility;
- (3) Deleting language that would have appropriated funds for additional improvements required by the pilot visitation and family resource center at Waiawa Correctional Facility;
- (4) Changing the effective date to June 29, 2023; 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. 451, 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. 451, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Shimabukuro, and Elefante.

Managers on the part of the Senate.

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

Representatives Hashem, Chun, Ganaden, Ichiyama, Mizuno, and Souza.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 2 (Ganaden, Mizuno).

**Conf. Com. Rep. 96 on H.B. No. 1037**

The purpose of this measure is to update the statutes regarding the Statewide Interoperable Communications Executive Committee to reflect the transfer of the Office of Homeland Security from the Department of Defense to the Department of Law Enforcement on January 1, 2024.

Your Committee on Conference has amended this measure by changing its effective date to January 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 H.B. No. 1037, 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. 1037, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, McKelvey, Inouye, and Elefante.

Managers on the part of the Senate.

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

Representatives Ichiyama, Tarnas, Chun, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 97 on H.B. No. 153**

The purpose of this measure is to:

- (1) Amend the penalty amount per violation of the State Water Code, with the Commission on Water Resource Management to determine the amount of the penalty based on the circumstances of the violation; and
- (2) Appropriate funds for two full-time equivalent general professional positions within the Commission on Water Resource Management.

Your Committee on Conference has amended this measure by:

- (1) Deleting the appropriation of funds for positions within the Commission on Water Resource Management;
- (2) Changing the effective date to July 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. 153, 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. 153, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Rhoads, DeCoite, and Elefante.

Managers on the part of the Senate.

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

Representatives Ichiyama, Tarnas, Poepoe, Chun, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 98 on H.B. No. 1183**

The purpose of this measure is to exempt parking lot operations at state parks and operation of concessions at certain state parks from the bidding requirements for concessions operating on public property.

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. 1183, 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. 1183, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Wakai, and Elefante.

Managers on the part of the Senate.

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



Representatives Ichiyama, Matayoshi, Poepoe, Garrett, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Matayoshi).

**Conf. Com. Rep. 99 on S.B. No. 1391**

The purpose of this measure is to authorize the Board of Land and Natural Resources to place a lien on a property for noncompliance with certain administrative enforcement actions related to land use violations and for certain unauthorized structures encroaching on public lands.

Your Committee on Conference finds that the Department of Land and Natural Resources has struggled to resolve problems related to encroaching erosion control structures that are typically unpermitted or have remained under an expired permit far beyond their allotted authorization. Therefore, this measure serves to aid the Department in addressing noncompliant and potentially hazardous structures by allowing the Board of Land and Natural Resources to attach a lien on an owner's property.

Accordingly, 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. 1391, 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. 1391, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Ichiyama, Tarnas, Poepoe, Evslin, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Evslin).

**Conf. Com. Rep. 100 on S.B. No. 764**

The purpose and intent of this measure is to:

- (1) Allow a bank to invest, in aggregate, up to fifteen per cent of the bank's capital and surplus in limited partnerships, limited liability partnerships, limited liability companies, and corporations formed to invest in affordable housing residential properties without the prior approval of the Commissioner of Financial Institutions (Commissioner) or an after-the-fact notice; and
- (2) Authorize an eligible bank to either:
  - (A) Apply to the Commissioner to allow the aggregate amount invested to exceed fifteen percent, but not more than twenty percent, of the bank's capital and surplus; or
  - (B) Make an investment exceeding fifteen percent, but not exceeding twenty percent, of the bank's capital and surplus without prior notification to, or approval by, the Commissioner if the eligible bank submits an after-the-fact notice.

Your Committee on Conference finds that the State is presently facing a housing shortage and is in need of creative options to promote investment in the development of low-income affordable housing rental units. Existing law limits the amount that a bank may invest in entities formed to invest in residential properties that qualify for federal Low-Income Housing Tax Credits. This measure encourages the financing of affordable residential housing projects by increasing the low-income housing tax credit investment limit for local banks to a level already permitted by the federal government.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have authorized an eligible bank to apply to the Commissioner to allow the aggregate amount invested to exceed fifteen percent, but not more than twenty percent, of the bank's capital and surplus;
- (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 managers 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. 764, S.D. 1, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 764, S.D. 1, H.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Hashimoto, Nakashima, Yamashita, Aiu, and Matsumoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Nakashima).

**Conf. Com. Rep. 101 on S.B. No. 1502**

The purpose of this measure is to:

- (1) Authorize the Department of Transportation to regulate the parking of shared cars at state airports;
- (2) Authorize the counties to regulate the parking of shared cars on highways under their jurisdiction; and
- (3) Amend the required coverage for shared cars that are made available through a peer-to-peer car-sharing program during the car-sharing period.

Your Committee on Conference finds that the growing popularity of shared cars provides additional transportation options for residents and visitors. However, with the proliferation of shared cars across the State, there is a growing need for additional protections for consumers and drivers. This measure establishes additional insurance protections for shared cars.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Department of Transportation may regulate parking utilized by peer-to-peer car sharing at state airports;
- (2) Clarifying that the counties are authorized to, by ordinance, regulate parking utilized by shared cars;
- (3) Repealing the sunset date of June 30, 2025, thereby making permanent Act 56, Session Laws of Hawaii 2022, relating to peer-to-peer car sharing insurance requirements;
- (4) Inserting an effective date of January 1, 2024; 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. 1502, 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. 1502, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 102 on S.B. No. 1373**

The purpose of this measure is to clarify the allowable revenues to be deposited into the Executive Office on Aging Administrative Claiming Special Fund and the purposes for which the fund may be used.

Your Committee on Conference finds that Executive Office on Aging programs are authorized to use Medicaid administrative claiming funds. Despite this authorization, existing state law prevents the Executive Office on Aging from utilizing Medicaid administrative claiming funds other than for the operation of aging and disability resource centers. This measure removes this restriction to support the continued operation of the Executive Office on Aging's many beneficial programs.

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. 1373, 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. 1373, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Kitagawa, Chun, Garrett, and Alcos.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 1 (Garrett).

**Conf. Com. Rep. 103 on S.B. No. 696**

The purpose of this measure is to:

- (1) Authorize the wages of other employees in comparable employment to be considered when computing the average weekly wages of an injured public board member, reserve police officer, police chaplain, reserve public safety law enforcement officer, sheriffs' chaplain, volunteer firefighter, volunteer boating enforcement officer, or volunteer conservation and resources enforcement officer; and
- (2) Clarify the computation of average weekly wages of an injured volunteer firefighter for workers' compensation benefits purposes.

Your Committee on Conference finds that under existing law, the Department of Labor and Industrial Relations is prohibited from considering the wages of other employees in comparable employment when computing the average weekly wages of various volunteer positions, including reserve police officers, volunteer firefighters, and volunteer boating enforcement officers. Your Committee on Conference recognizes that the work performed by these volunteers is both vital and potentially dangerous and further finds that it is appropriate for any of these volunteers who sustain injuries in the line of duty to be afforded equitable workers' compensation benefits. This measure ensures those who volunteer in certain volunteer positions are fairly compensated with sufficient coverage under workers' compensation laws for the services they perform.

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. 696, 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. 696, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Matayoshi, Sayama, Garrett, Martinez, and Alcos.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 104 on S.B. No. 1383**

The purpose of this measure is to

- (1) Institute an unemployment insurance technology assessment to be imposed on employers at an unspecified rate of taxable wages;
- (2) Establish the Unemployment Insurance Technology Special Fund into which the assessment shall be deposited, and which shall be used to defray the costs of information technology infrastructure for the Unemployment Insurance Program; and
- (3) Clarify the order of priority to apply collections from delinquent employers to delinquent amounts under Hawaii's Employment Security Law.

Your Committee on Conference finds that federal funds are currently available for the infrastructure and equipment necessary to modernize the Unemployment Insurance Program, and the costs of operating and maintaining the information technology systems are not covered by federal funds. This measure would provide a permanent funding mechanism to support the necessary continued maintenance of the Unemployment Insurance Division's information technology infrastructure.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the unemployment insurance technology assessment be at a rate of .01 percent of taxable wages as specified in section 383-61, Hawaii Revised Statutes; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1383, 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. 1383, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Matayoshi, Garrett, Martinez, and Alcos.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 1 (Alcos).

**Conf. Com. Rep. 105 on H.B. No. 478**

The purpose of this measure is to:

- (1) Establish qualifications for membership on the State Foundation on Culture and the Arts Commission; and
- (2) Appropriate funds to the State Foundation on Culture and the Arts to award one-time fellowships to promising artists.

Your Committee on Conference has amended this measure by:

- (1) Adding as ex officio, nonvoting members to the State Foundation on Culture and the Arts Commission the chair of the Senate and House of Representatives standing committees with primary jurisdiction over culture and the arts;
- (2) Removing the appropriation of funds to the State Foundation on Culture and the Arts to award one-time fellowships to promising artists;
- (3) Changing the effective date to July 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. 478, 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. 478, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tam, Kila, Garrett, Kapela, and Alcos.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Garrett).

**Conf. Com. Rep. 106 on H.B. No. 475**

The purpose of this measure is to establish and appropriate funds for the Art in Private Places and Performing Arts Committee, within the State Foundation on Culture and the Arts, to establish and administer the Art in Private Places and Performing Arts Pilot Programs.

Your Committee on Conference has amended this measure by:

- (1) Deleting the establishment of the Art in Private Places and Performing Arts Committee and Performing Arts Pilot Program;
- (2) Establishing the Art in Private Places Pilot Program, which allows the Executive Director of the State Foundation on Culture and the Arts to loan state-owned art to non-state individuals, businesses, or entities for reasonable financial consideration;
- (3) Renaming the Performing Arts Special Account to the Art in Private Places Special Account and amending the funds that may be deposited into the special account;
- (4) Removing the appropriation;
- (5) Changing the effective date to July 1, 2023, with a sunset date of June 30, 2026; 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. 475, 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. 475, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tam, Yamashita, Garrett, Martinez, and Alcos.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Alcos).

**Conf. Com. Rep. 107 on H.B. No. 848**

The purpose of this measure is to appropriate funds to establish new permanent support staff positions which are critical to sustaining daily operations for the initiatives at the Hawaii Institute of Marine Biology.

Your Committee on Conference has amended this measure by:

- (1) Inserting appropriation amounts for each position;
- (2) Clarifying that the full-time equivalent positions to be established are administrative, professional, and technical positions;
- (3) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (4) Changing the effective date to July 1, 2023; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 848, 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. 848, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Perruso, Kitagawa, Kapela, Marten, and Garcia.  
Managers on the part of the House.

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

**Conf. Com. Rep. 108 on H.B. No. 933**

The purpose of this measure is to appropriate funds to the Public Utilities Commission to provide free telecommunications access to certain information for individuals with a print disability.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$150,000 to provide free telecommunications access to certain information for persons with a print disability;
- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2023; and
- (4) Making a technical, nonsubstantive amendment for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 933, 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. 933, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Perruso, Sayama, Kobayashi, Kapela, and Pierick.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Pierick).

**Conf. Com. Rep. 109 on H.B. No. 1200**

The purpose of this measure is to:

- (1) Require and appropriate funds for the Department of Land and Natural Resources to establish an Unmanned Aircraft Systems Program that is compliant with federal and state laws;
- (2) Authorize the use of unmanned aircraft systems to monitor, investigate, and obtain admissible evidence of natural and cultural resource violations; and
- (3) Beginning January 1, 2026, require an annual report to the Legislature on the Unmanned Aircraft Systems Program.

Your Committee on Conference has amended this measure by:

- (1) Authorizing, rather than requiring, the Department of Land and Natural Resources to adopt rules related to the Unmanned Aircraft Systems Program;
- (2) Inserting an appropriation amount of \$125,000 for the Unmanned Aircraft Systems Program for fiscal year 2023-2024;
- (3) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (4) Changing the effective date to July 1, 2023; 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. 1200, 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. 1200, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Lowen, Tarnas, Cochran, and Ward.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 1 (Tarnas).

**Conf. Com. Rep. 110 on S.B. No. 1254**

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to petition the Board of Land and Natural Resources to designate certain lands as the "Kaiwi Coast State Park";
- (2) Establish certain conditions for the Kaiwi Coast State Park; and

- (3) Appropriate funds for the Kaiwi Coast State Park and Maunaloa-Makapuu Scenic Byway improvements.

Your Committee on Conference finds that the lands of the Kaiwi coast are an invaluable resource for the people of the State and its natural beauty should be preserved in perpetuity for the public benefit. Therefore, this measure helps kickstart the process of conserving those lands in their natural state by requiring the Department of Land of Natural Resources to petition for their designation as a state park.

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

- (1) Eliminating the appropriation for the establishment, planning, and design of the Kaiwi Coast State Park and Maunaloa-Makapuu Scenic Byway improvements;
- (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. 1254, 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. 1254, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Ichiyama, Tarnas, Nishimoto, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 111 on S.B. No. 1232**

The purpose of this measure is to:

- (1) Authorize the State Librarian, with approval from the Board of Education, to impose and collect rates, rents, fees, fines and charges for the use of state library facilities and revise rates, rents, fees, and charges as necessary without regard to chapter 91, Hawaii Revised Statutes; and
- (2) Sunset on June 30, 2028.

Your Committee on Conference finds that the State Public Library System provides thousands of residents in the State with free, convenient access to library materials. However, the current process to collect fees is cumbersome, requiring updates of fee schedules to follow the administrative rule process pursuant to chapter 91, Hawaii Revised Statutes. This measure provides the State Librarian with greater flexibility to collect fees that will provide additional funding to support and continue library services across the State.

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. 1232, 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. 1232, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Shimabukuro, and Richards.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Morikawa, Evslin, La Chica, Marten, and Garcia.  
Managers on the part of the House.  
Ayes, 4. Noes, 1 (Garcia). Excused, 1 (Evslin).

**Conf. Com. Rep. 112 on S.B. No. 483**

The purpose of this measure is to update articles I through IV of the Uniform Probate Code to adjust for inflation, provide additional clarity, resolve issues that have arisen in probate practice, and address societal changes in familial relations.

Your Committee on Conference finds that it is necessary to update the Uniform Probate Code with appropriate amendments to reflect Hawai'i law and practice where relevant. The last update to the Uniform Probate Code was in 1996. This measure makes appropriate and necessary updates to the Uniform Probate Code.

Your Committee on Conference has amended this measure by making it effective upon its approval; provided that the section relating to the Uniform Estate Tax Apportionment Act shall take effect on July 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. 483, 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. 483, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Elefante, and San Buenaventura.

Managers on the part of the Senate.

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

Representatives Tarnas, Nishimoto, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 113 on S.B. No. 211**

The purpose of this measure is to ensure that employment, work, and pay eligibility for the purpose of calculating retirement benefits includes retroactive reinstatement, retroactive rescission of suspension, and retroactive payments that are restored to an employee as part of a judicial, administrative, or arbitral proceeding, or pursuant to a settlement of claims.

Your Committee on Conference finds that this measure seeks to codify the long-standing practice of the Employees' Retirement System of crediting a public employee's retroactive reinstatement, retroactive rescission of suspension, and retroactive payments for service credits and retirement benefits determination purposes. This measure will help to avoid potential uncertainties in the calculations of these amounts.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that made the definition of "final resolution of claims" apply to actions that became final on or after the effective date of this measure; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 211, 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. 211, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Keith-Agaran, Rhoads, and Ihara.

Managers on the part of the Senate.

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

Representatives Matayoshi, Tarnas, Garrett, and Alcos.

Managers on the part of the House.

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

**Conf. Com. Rep. 114 on S.B. No. 1313**

The purpose of this measure is to enable the Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees (Board) to establish appropriate salaries for the Administrator and Chief Investment Officer of the Trust Fund.

Your Committee on Conference finds that authorizing the Board to set an appropriate salary for its upper-management personnel, such as the Chief Investment Officer, will lead to an increase in the recruitment and retention of qualified individuals to administer the day-to-day activities of the Trust Fund.

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. 1313, 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. 1313, S.D. 1, H.D. 1, 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, 3. Noes, none. Excused, none.

Representatives Matayoshi, Garrett, and Alcos.

Managers on the part of the House.

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

**Conf. Com. Rep. 115 on H.B. No. 972**

The purpose of this measure is to:

- (1) Add revenue generated by the State Veterinary Laboratory and Animal Disease Control Branch as sources for the Animal Industry Special Fund; and
- (2) Clarify that the funds from the Animal Industry Special Fund may be expended to make laboratory improvements.

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. 972, 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. 972, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Aquino, and Richards.

Managers on the part of the Senate.

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

Representatives Gates, Kahaloa, Cochran, and Ward.

Managers on the part of the House.

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

**Conf. Com. Rep. 116 on H.B. No. 306**

The purpose of this measure is to appropriate funds to the University of Hawaii for statewide research into ornamental ginger pathogens, prevention of the spread of ornamental ginger pathogens, production and distribution of pathogen-free ornamental ginger plants, and outreach to ornamental ginger producers.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$125,000 for fiscal year 2023-2024 for statewide research regarding ornamental ginger pathogens and deleting the appropriation of the same sum for fiscal year 2024-2025;
- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (3) Changing the effective date to July 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. 306, 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. 306, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Kim, Aquino, and Richards.

Managers on the part of the Senate.

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

Representatives Gates, Lamosao, and Alcos.

Managers on the part of the House.

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

**Conf. Com. Rep. 117 on H.B. No. 307**

The purpose of this measure is to authorize 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 as long as 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 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. 307, 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. 307, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Aquino, and Richards.

Managers on the part of the Senate.

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

Representatives Gates, Ichiyama, Nakashima, Kahaloa, Hussey-Burdick, and Ward.

Managers on the part of the House.

Ayes, 6; Ayes with Reservations (Hussey-Burdick). Noes, none. Excused, none.

**Conf. Com. Rep. 118 on H.B. No. 133**

The purpose of this measure is to appropriate funds for the operating costs of the Office of Hawaiian Affairs for the fiscal biennium beginning July 1, 2023, and ending June 30, 2025.

Your Committee on Conference has amended this measure by:

- (1) Appropriating \$3,000,000 for fiscal biennium 2023-2025 for the Office of Hawaiian Affairs;
- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;



- (3) Changing the effective date to July 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. 133, 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. 133, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Kidani, and Fevella.

Managers on the part of the Senate.

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

Representatives Tarnas, Yamashita, Kitagawa, Takayama, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 119 on H.B. No. 1113**

The purpose of this measure is to:

- (1) Allow monies in the State Highway Fund to be expended for the cost of maintaining a Drug and Alcohol Toxicology Testing Laboratory;
- (2) Require monies in the Drug and Alcohol Toxicology Testing Laboratory Special Fund to be administered and expended by the Department of Transportation or appropriated as a grant-in-aid to the emergency services department of a county with a population of five hundred thousand or more to support a Drug and Alcohol Toxicology Testing Laboratory;
- (3) Change the name of the State Drug and Alcohol Toxicology Testing Laboratory, and its special fund, to repeal reference to the "State" to reflect its expanded scope;
- (4) Appropriate funds from the State Highway Fund to the Drug and Alcohol Toxicology Testing Laboratory Special Fund;
- (5) Appropriate funds out of the Drug and Alcohol Toxicology Testing Laboratory Special Fund for the establishment and maintenance of a Drug and Alcohol Toxicology Testing Laboratory; and
- (6) Require reports to the Legislature on expenditures made from the Drug and Alcohol Toxicology Testing Laboratory Special Fund.

Your Committee on Conference has amended this measure by:

- (1) Appropriating \$2,000,000 for fiscal year 2023-2024 and \$400,000 for fiscal year 2024-2025 for the establishment and maintenance of a Drug and Alcohol Toxicology Testing Laboratory, including the costs of laboratory instrumentation, facility renovation and security upgrades, office furniture and supplies, laboratory equipment, and other purposes that support a Drug and Alcohol Toxicology Testing Laboratory;
- (2) Changing the effective date to July 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. 1113, 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. 1113, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Kanuha, and Gabbard.

Managers on the part of the Senate.

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

Representatives Tarnas, Nishimoto, Takayama, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 120 on H.B. No. 960**

The purpose of this measure is to:

- (1) Include the development and construction of prekindergarten facilities among the powers of the School Facilities Authority;
- (2) Transfer general funds previously appropriated to the School Facilities Authority of the Department of Education to the School Facilities Special Fund for fiscal year 2023-2024; and
- (3) Appropriate funds out of the School Facilities Special Fund for the School Facilities Authority to construct new school facilities and renovate, improve, and expand existing school facilities to increase prekindergarten student capacity.

Your Committee on Conference has amended this measure by:

- (1) Appropriating \$200,000,000 out of the School Facilities Special Fund for the School Facilities Authority to construct new school facilities and renovate, improve, and expand existing school facilities to increase prekindergarten student capacity;

- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (3) Changing the effective date to July 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. 960, 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. 960, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Woodson, Kitagawa, Kapela, Marten, and Garcia.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Garcia).

**Conf. Com. Rep. 121 on H.B. No. 1101**

The purpose of this measure is to:

- (1) Prohibit the counties from charging against or collecting user fees for stormwater management systems or infrastructure from the Department of Transportation in excess of \$1,500,000 in the aggregate per year; and
- (2) Specify that no services shall be denied to the Department of Transportation by reason of nonpayment of the user fees for stormwater management systems or infrastructure.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers 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. 1101, 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. 1101, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Gabbard, Rhoads, Lee, and Elefante.  
Managers on the part of the Senate.  
Ayes, 5. Noes, none. Excused, none.

Representatives Ichiyama, Yamashita, Kitagawa, Poepoe, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Kitagawa).

**Conf. Com. Rep. 122 on H.B. No. 1090**

The purpose of this measure is to specify the methods by which the Department of Land and Natural Resources can issue new ocean recreation commercial permits and renew existing ocean recreation commercial permits.

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. 1090, 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. 1090, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Ichiyama, Nishimoto, Ilagan, Poepoe, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Ilagan).

**Conf. Com. Rep. 123 on H.B. No. 1134**

The purpose of this measure is to:

- (1) Prohibit commercial ocean use activities within Kaneohe Bay waters without a permit and the advertising of those unpermitted activities; and
- (2) Establish enforcement mechanisms for the prohibitions.

Your Committee on Conference has amended this measure by:

- (1) Removing the proposed requirement for the Department of Land and Natural Resources to adopt rules to prescribe any other procedures determined by the Department in its experience and discretion to effectuate the intent of the Boating Law under chapter 200, Hawaii Revised Statutes, and the Kaneohe Bay Master Plan;
- (2) Clarifying that no person can advertise or otherwise offer any equipment for a commercial ocean use activity without a permit from the Department of Land and Natural Resources;
- (3) Removing from the definition of "commercial ocean use activity" the transportation of customers for hire from any location on Oahu, including but not limited to Heeia Kea, the Kaneohe Yacht Club, or any private residence, to Kaneohe Bay;
- (4) Changing its effective date to July 1, 2023; 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. 1134, 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. 1134, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Ichiyama, Tarnas, Kitagawa, Poepoe, and Souza.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 124 on H.B. No. 1079**

The purpose of this measure is to amend sections in chapter 342D, Hawaii Revised Statutes (HRS), relating to water pollution, to:

- (1) Conform to definitions and civil penalty amounts pursuant to federal regulations and laws, including the Clean Water Act;
- (2) Consolidate separate water quality certification statutes into one section of law for clarity;
- (3) Clarify the authority of the Department of Health to conduct water quality certifications; and
- (4) Revise civil penalty amounts to ensure consistency within the Department of Health.

Your Committee on Conference has amended this measure by:

- (1) Adding a definition of "territorial seas";
- (2) Raising the maximum fine for any person who violates chapter 342D, HRS, any rule, or any term or condition of a permit, water quality certification, or variance issued pursuant to chapter 342D, HRS, to \$60,000 for each separate offense;
- (3) Raising the maximum fine for any person who denies, obstructs, or hampers the entrance or inspection by any duly authorized officer or employee of the Department of Health of any building, place, or vehicle that the officer or employee is authorized to enter and inspect to \$25,000 for each day of denial, obstruction, or hampering;
- (4) Changing its 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. 1079, 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. 1079, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Ichiyama, Lowen, Kitagawa, Evslin, Poepoe, and Souza.  
Managers on the part of the House.  
Ayes, 6. Noes, none. Excused, none.

**Conf. Com. Rep. 125 on S.B. No. 968**

The purpose of this measure is to:

- (1) Require the Department of Accounting and General Services to collaborate with the Department of Transportation to develop, implement, administer, and manage programs to enable parking stall sharing among public employees of the State;
- (2) Require the Department of Accounting and General Services to conduct a study to determine the demand for, and feasibility and costs of, installing electric vehicle charging stations at newly constructed state employee and public parking facilities and retrofitting existing state employee and public parking facilities to accommodate electric vehicle charging stations.

Your Committee on Conference finds that many public employees are opting for more environmentally friendly methods of commuting to work, such as carpooling. However, public employees who carpool to work together are prohibited from sharing the cost of a single stall by registering multiple vehicles to the same stall. Additionally, infrastructure for securely storing bicycles does not exist. This measure requires the Department of Accounting and General Services to develop solutions to accommodate and encourage carpooling and environmentally friendly commuting options.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have required the Department of Accounting and General Services to conduct a study regarding the installation of electric vehicle charging stations at state employee and public parking facilities;
- (2) Inserting language that requires the Department of Accounting and General Services to develop, implement, administer, and manage a pilot program to provide enclosed bicycle storage lockers at state employee and public parking facilities;
- (3) Amending 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 managers 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. 968, 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. 968, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators McKelvey, Lee, Inouye, Elefante, and Fevella.

Managers on the part of the Senate.

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

Representatives Todd, Matayoshi, Kila, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 126 on S.B. No. 894**

The purpose of this measure is to:

- (1) Transfer the Office of Wellness and Resilience from the Office of the Governor to the Department of Human Services on July 1, 2025;
- (2) Extend the Trauma-Informed Care Task Force dissolution date to June 30, 2025, and establish the Task Force as an advocacy board to the Office of Wellness and Resilience until its dissolution; and
- (3) Reconstitute the membership of the Trauma-Informed Care Task Force into a permanent advocacy board to the Office of Wellness and Resilience to be called the Wellness and Resilience Advocacy Board.

Your Committee on Conference finds that Act 291, Session Laws of Hawaii 2022, established the Office of Wellness and Resilience, the first of its kind in the nation, to be temporarily placed within the Office of the Governor. The Office was created to support and implement the statewide framework developed by the Trauma-Informed Care Task Force. Together, the Office and Task Force seeks to implement trauma-informed wellness and resilience policies to assist individuals and communities impacted by trauma and thereby reduce crime, substance abuse, suicide, and homelessness. Your Committee on Conference recognizes the continued need for the State to support children, families, and survivors of trauma and this measure reaffirms the State's commitments by permanently establishing the Office of Wellness and Resilience within the Department of Human Services and ensuring that the Task Force will continue its important work in an advisory capacity as the Wellness and Resilience Advisory Board.

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

- (1) Clarifying that the Trauma-Informed Care Task Force will serve as an "advisory board" to the current Office of Wellness and Resilience, as opposed to serving as an "advocacy board";
- (2) Replacing the Director of Public Safety with the Director of Corrections and Rehabilitation to serve on the Trauma-Informed Care Task Force, effective January 1, 2024;
- (3) Renaming the "Wellness and Resilience Advocacy Board", which will be established within the Department of Human Services on July 1, 2025, as the "Wellness and Resilience Advisory Board";
- (4) Replacing the Director of Public Safety with the Director of Corrections and Rehabilitation to serve on the Wellness and Resilience Advisory Board;
- (5) Inserting an effective date of January 1, 2024; 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. 894, 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. 894, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators McKelvey, Shimabukuro, Kidani, Aquino, and Awa.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

Representatives Mizuno, Belatti, Kobayashi, Amato, and Garcia.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Belatti).

**Conf. Com. Rep. 127 on S.B. No. 811**

The purpose of this measure is to:

- (1) Require state agencies to disaggregate data consistent with federal standards and to publish the data; and
- (2) Establish a task force to assess demographic data collection, processing, retention, and sharing procedures, needs, and challenges.

Your Committee on Conference finds that Asian Americans, Native Hawaiians, and other Pacific Islanders are often misrepresented as a homogeneous group, despite having ethnicities from over thirty different countries. Your Committee on Conference further finds that because not all state agencies keep, or make accessible to the public, demographic data in a standard or uniform manner that comports with the prevailing federal standards, requiring state agencies to disaggregate race data for collection, analysis, evaluation, access, and dissemination can aid in shaping programs and policies to advance more equitable outcomes for all communities in the State. Therefore, this measure establishes a Task Force on Twenty-First Century Data Governance to assess how the State currently collects demographic data and requires the Task Force to submit a report of its findings and recommendations to the Legislature.

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

- (1) Deleting the creation of a new section under chapter 27, Hawaii Revised Statutes, requiring state agencies, boards, or commissions to collect and disaggregate certain demographic data for Asian American, Native Hawaiian, and other Pacific Islander Groups consistent with federal standards and to publish the data;
- (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. 811, 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. 811, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 128 on S.B. No. 1230**

The purpose of this measure is to:

- (1) Prohibit the carrying or possessing of firearms in certain locations and premises;
- (2) Require possession and disclosure of a license to carry;
- (3) Prohibit leaving an unsecured firearm in a vehicle unattended;
- (4) Prohibit consuming or being under the influence of alcohol, an intoxicating liquor, or a controlled substance when carrying a firearm;
- (5) Prohibit carrying or possessing firearms on certain private property open to the public without express authorization;
- (6) Require annual reports from the Department of the Attorney General on licenses to carry;
- (7) Prohibit the failure to conceal a firearm by a concealed carry licensee where the failure to conceal results in alarm to another person;
- (8) Amend the requirements for, and revocation of, firearms permits and licenses;
- (9) Amend the criteria for disqualification of persons from owning, possessing, or controlling a firearm; and
- (10) Expand the qualified immunity for health care providers who provide information on firearms applicants to include physician assistants and advanced practice registered nurses.

Your Committee on Conference finds that although the United States Supreme court held in *New York State Rifle and Pistol Association V. Bruen*, 142 S. Ct. 2111 (2022), that licenses to carry a firearm shall be granted unless there is an objective statutory basis requiring denial, states still retain the authority to enact a variety of gun regulations, such as prohibiting the carrying of firearms in

sensitive locations and adopting laws to ensure that those who carry firearms are law-abiding, responsible citizens. This measure will update the State's existing firearms laws to ensure the safety and welfare of citizens as a result of *Bruen*.

Your Committee on Conference has amended this measure by:

- (1) Including tennis courts, golf courses, swimming pools, or other recreation areas or facilities under control, maintenance, and management of the State or a county as locations where carrying or possessing a firearm is prohibited;
- (2) Deleting language that would have included any space within one thousand feet from a public gathering, public assembly, or special event from being included as locations where carrying or possessing a firearm is prohibited;
- (3) Including the following as affirmative defenses to the crime of carrying or possessing a firearm in certain locations and premises:
  - (A) Walking through a public gathering, public assembly, or special event if necessary to access the person's residence, place of business, or vehicle; and
  - (B) Carrying a concealed firearm in accordance with title 18 United States Code section 926B or 926C in a location or premises within the State that is not a state or county property, installation, building, base, or park, and not a location or premises where a private person or entity has prohibited or restricted the possession of concealed firearms on their property;
- (4) Clarifying that any ordinance of any county establishing locations where the carrying of firearms is prohibited is inconsistent with state law, the ordinance shall be void to the extent of the inconsistency;
- (5) Requiring a person legally carrying a firearm to have government-issued photo identification in the person's immediate possession and present the identification to a law enforcement officer upon request;
- (6) Clarifying that the prohibition against unlawful conduct while carrying a firearm applies to any person carrying a firearm;
- (7) Amending the offense of carrying or possessing a firearm on private property open to the public without authorization to the offense of carrying or possessing a firearm on private property of another person without authorization;
- (8) Clarifying that express authorization to carry or possess a firearm on private property shall be signified by unambiguous written or verbal authorization or the posting of clear and conspicuous signage at the entrance of the building or on the premises by the owner, lessee, operator, or manager of the property, or agent thereof;
- (9) Inserting definitions for "private entity", "private property", and "private property of another person";
- (10) Clarifying that the Department of the Attorney General is required to publish certain data relating to firearms on its website only if the data is available to the Department;
- (11) Clarifying that the offense of failure to conceal a firearm by a concealed carry licensee applies to persons carrying a firearm pursuant to a license issued under section 134-9(a), Hawaii Revised Statutes;
- (12) Specifying that harassment as a "crime of violence" includes harassment under section 711-1106(1)(a), Hawaii Revised Statutes;
- (13) Specifying that certain amendments to the requirements for, and revocation of, firearms permits and licenses shall take effect on January 1, 2024;
- (14) Clarifying that a license to carry a firearm does not constitute a government-issued photo identification document under federal or state law;
- (15) Clarifying that a license issued by the chief of police of a county within the State to carry a pistol or revolver and ammunition concealed on the licensee's person is valid for use in each county within the State; 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. 1230, 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. 1230, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Yamashita, Kitagawa, and Takayama.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 129 on S.B. No. 7**

The purpose of this measure is to make necessary amendments to clarify certain references to the School Facilities Authority used in section 302A-1151.1, Hawaii Revised Statutes.

Your Committee on Conference finds that Act 217, Session Laws of Hawaii 2021 (Act 217), replaced the terms "Department", "Board", or "Board of Education" with "School Facilities Authority" in section 302A-1151.1, Hawaii Revised Statutes. However,

amendments made by Act 217 inadvertently contain redundant and confusing references that need clarification. This measure clarifies existing statutory language to effectuate Act 217's intended purpose.

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. 7, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 7, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Woodson, Kitagawa, La Chica, Marten, and Garcia.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 130 on H.B. No. 24**

The purpose of this measure is to clarify that a common water carrier may enter into vessel leases longer than five years or enter into leverage leases for vessels upon prior approval of the Public Utilities Commission.

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. 24, 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. 24, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Todd, Nakashima, Kitagawa, Kila, and Matsumoto.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 131 on H.B. No. 948**

The purpose of this measure is to:

- (1) Establish a two-year Child and Adolescent Crisis Mobile Outreach Team Pilot Program to provide additional support and expansion of services for existing crisis response services, with one team to be located on Oahu and the other to be located at a site on a neighbor island; and
- (2) Appropriate funds for the pilot program, including the hiring and training of mental health professionals.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$3,500,000 for fiscal years 2023-2024 and 2024-2025 for the Department of Health to establish the Crisis Mobile Outreach Team Pilot Program;
- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2023; and
- (4) 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. 948, 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. 948, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Kidani, and Moriwaki.  
Managers on the part of the Senate.  
Ayes, 2. Noes, none. Excused, 1 (Moriwaki).

Representatives Belatti, Morikawa, Kapela, Marten, and Garcia.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 132 on H.B. No. 1363**

The purpose of this measure is to:

- (1) Extend the period within which a county may adopt a surcharge on state tax, under certain conditions, from March 31, 2019, to December 31, 2023;
- (2) Authorize, in certain instances, the use of county surcharge revenues for housing infrastructure in counties having a population of 500,000 or less; and
- (3) Temporarily authorize counties that have previously adopted a surcharge on state tax to amend the uses of the surcharge.

Your Committee on Conference has amended this measure by:

- (1) Restoring “pedestrian paths or sidewalks on a county road near or around a public school,” to the definition of “housing infrastructure” and removing the same language from section 46-16.8(g)(1)(E), Hawaii Revised Statutes, where it had previously been moved;
- (2) Adding water reuse to the definition of “housing infrastructure”;
- (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. 1363, H.D. 3, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1363, H.D. 3, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 133 on H.B. No. 968**

The purpose of this measure is to appropriate funds for the University of Hawaii Pamantasan Council.

Your Committee on Conference has amended this measure by:

- (1) Specifying an appropriation amount of \$310,000;
- (2) Specifying that the appropriation is for one full-time equivalent faculty position at Leeward Community College, one full-time equivalent faculty position at the University of Hawaii Maui College, and one full-time equivalent academic, professional, and technical position at the University of Hawaii at Manoa;
- (3) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (4) Changing the effective date to July 1, 2023; 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. 968, 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. 968, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tam, Perruso, Lamosao, La Chica, Martinez, and Alcos.  
Managers on the part of the House.  
Ayes, 6. Noes, none. Excused, none.

**Conf. Com. Rep. 134 on H.B. No. 68**

The purpose of this measure is to:

- (1) Require that ongoing staff support for the centralized statewide criminal pretrial justice data reporting and collection system be conducted by the Criminal Justice Research Institute’s staff and not be contracted to another entity;
- (2) Require the Criminal Justice Research Institute to protect any information and data that may be shared;
- (3) Require the Criminal Justice Research Institute to submit an annual report regarding the creation of the centralized statewide criminal pretrial justice data reporting and collection system to the Legislature for two years; and
- (4) Appropriate funds to establish a centralized statewide criminal pretrial justice data reporting and collection system pursuant to state law.



Your Committee on Conference has amended this measure by:

- (1) Appropriating \$1,372,864 for fiscal year 2023-2024 and \$1,030,868 for fiscal year 2024-2025 to establish a centralized statewide criminal pretrial justice data reporting and collection system;
- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (3) Changing the effective date to July 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. 68, 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. 68, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Nishimoto, Ganaden, Takayama, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Ganaden).

**Conf. Com. Rep. 135 on H.B. No. 954**

The purpose of this measure is to:

- (1) Increase the amounts for the income tax brackets and personal exemption and standard deduction amounts for tax year 2023;
- (2) Adjust annually for tax years beginning after December 31, 2023, the income tax brackets and personal exemption, and standard deduction amounts by a cost-of-living adjustment factor; and
- (3) Amend the taxable income brackets and income tax rates for each filing status for taxable years beginning after December 31, 2022.

Your Committee on Conference has amended this measure by:

- (1) Deleting language which would have:
  - (A) Defined cost-of-living adjustment factor;
  - (B) Increased the amounts for the income tax brackets and personal exemption and standard deduction amounts;
  - (C) Adjusted annually the income tax brackets and personal exemption, and standard deduction amounts by a cost-of-living adjustment factor; and
  - (D) Amended the taxable income brackets and income tax rates for each filing status;
- (2) Inserting language which:
  - (A) Increases the household and dependent care services tax credit;
  - (B) Increases the refundable earned income tax credit; and
  - (C) Increases the income thresholds and credit amounts of the refundable food/excise tax credit;
- (3) Inserting a sunset date of December 31, 2027; 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. 954, 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. 954, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Holt, Yamashita, Evslin, Ilagan, Kitagawa, Lamosao, Morikawa, Nakamura, Nishimoto, and Pierick.  
Managers on the part of the House.  
Ayes, 7. Noes, none. Excused, 3 (Kitagawa, Nishimoto, Pierick).

**Conf. Com. Rep. 136 on H.B. No. 999**

The purpose of this measure is to:

- (1) Establish state goals for economic growth fueled by innovation and technology;

- (2) Appropriate funds to the Hawaii Technology Development Corporation to implement specific projects that address the state goals;
- (3) Require the Hawaii Technology Development Corporation to submit annual reports to the Legislature on the progress, outcomes, and effectiveness of the projects;
- (4) Temporarily establish the Hawaii Office of Naval Research Grant Program to provide matching grants to Hawaii awardees of alternative energy research grants from the Department of Defense Office of Naval Research;
- (5) Establish the Alternative Energy Research and Development Revolving Fund and appropriate funds into and out of the Revolving Fund for the Hawaii Office of Naval Research Grant Program; and
- (6) Appropriate funds to establish one full-time equivalent asset manager position and one full-time equivalent aerospace development coordinator for the Hawaii Technology Development Corporation.

Your Committee on Conference has amended this measure by:

- (1) Amending the composition of the Hawaii Technology Development Corporation Board of Directors to include the Chairperson of the Board of Regents of the University of Hawaii, unless the Chairperson, with the approval of the Board of Regents and subject to quorum and majority requirements, designates another Regent to serve;
- (2) Inserting an appropriation amount of \$6,000,000 for fiscal years 2023-2024 and 2024-2025 for the purpose of economic diversification;
- (3) Clarifying that of the \$6,000,000 appropriated for the purpose of economic diversification, \$2,000,000 shall be used to support economic development opportunities with the defense sector, including aerospace, and to support companies conducting small business innovation research through matching grants;
- (4) Deleting language which would have appropriated funds:
  - (A) For the operations, administration, and award of grants by the Hawaii Small Business Innovation Research Program;
  - (B) For the operations, administration, and award of grants by the Manufacturing Assistance Program; and
  - (C) To reduce and mitigate climate change through renewable energy technology demonstration projects;
- (5) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (6) Deleting language which would have:
  - (A) Temporarily established the Hawaii Office of Naval Research Grant Program;
  - (B) Established the Alternative Energy Research and Development Revolving Fund and appropriated funds into and out of the Revolving Fund; and
  - (C) Appropriated funds to establish one full-time equivalent asset manager position and one full-time equivalent aerospace development coordinator;
- (7) Changing the effective date to July 1, 2023; 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. 999, 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. 999, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Kidani, Fukunaga, and Wakai.

Managers on the part of the Senate.

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

Representatives Holt, Lamosao, Chun, Hussey-Burdick, Onishi, and Pierick.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, 1 (Hussey-Burdick).

**Conf. Com. Rep. 137 on H.B. No. 1366**

The purpose of this measure is to:

- (1) Require the Department of Human Services to establish and coordinate a voluntary three-year Return-to-Home Pilot Program (Pilot Program) to assist eligible homeless individuals in reuniting with families and relatives in their home states;
- (2) Appropriate funds for the implementation of the pilot program and require the funds to be matched on a dollar-for-dollar basis by a nonprofit organization, for-profit organization, or private foundation; and
- (3) Appropriate funds to establish an unspecified number of planner positions within the Department of Human Services to oversee the Pilot Program.

Your Committee on Conference has amended this measure by:

- (1) Authorizing the Governor's Coordinator on Homelessness to assist with the implementation of the Pilot Program;
- (2) Inserting a sunset date of January 1, 2026, for the Pilot Program;
- (3) Inserting an appropriation amount of \$100,000 to implement the Pilot Program and deleting the dollar-for-dollar matching funds requirement;
- (4) Deleting the appropriation for planner positions;
- (5) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (6) Updating the purpose section;
- (7) Changing the effective date to July 1, 2023; 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. 1366, 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. 1366, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Mizuno, Belatti, Kobayashi, Amato, and Garcia.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 138 on H.B. No. 870**

The purpose of this measure is to:

- (1) Require the Department of Human Services to:
  - (A) Establish a Neighbor Islands Blind and Visually Impaired Service Pilot Program (Pilot Program) to supplement existing statewide services;
  - (B) Establish a Neighbor Islands Blind and Visually Impaired Service Pilot Program Working Group (Working Group) to develop a pilot program implementation plan; and
  - (C) Report to the Legislature on the implementation plan and Pilot Program; and
- (2) Appropriate funds for the establishment and operation of the Pilot Program and Working Group.

Your Committee on Conference has amended this measure by:

- (1) Exempting contracts entered into by the Department of Human Services to fulfill the purposes of the Pilot Program from the requirements of the Hawaii Public Procurement Code and State requirements for the purchase of health and human services;
- (2) Exempting the Working Group from public agency open meeting requirements;
- (3) Requiring the Pilot Program to begin no later than January 1, 2024;
- (4) Sunsetting the Pilot Program on July 30, 2029, rather than July 30, 2027, and requiring the Department of Human Services to submit a report to the Legislature prior to the convening of the Regular Session of 2029, rather than 2027;
- (5) Inserting an appropriation amount of \$93,000 and clarifying that the appropriation may be used to contract for services to coordinate the convening of the Working Group and implementation of the Pilot Program;
- (6) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (7) Changing the effective date to July 1, 2023, and the sunset date to June 30, 2029; 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. 870, 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. 870, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, DeCoite, and Shimabukuro.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Mizuno, Kobayashi, Amato, and Garcia.  
Managers on the part of the House.

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

**Conf. Com. Rep. 139 on H.B. No. 1369**

The purpose of this measure is to preserve access to health care for Medicaid recipients and strengthen the Nursing Facility Sustainability Program by:

- (1) Repealing the sunset dates of Act 156, Session Laws of Hawaii 2012, and Act 124, Session Laws of Hawaii 2014, thereby making the Nursing Facility Sustainability Program permanent and permanently exempting the Nursing Sustainability Program Special Fund from the central service and administrative expenses assessments;
- (2) Making various amendments to the Nursing Facility Sustainability Program;
- (3) Repealing the Nursing Facility Tax; and
- (4) Appropriating funds out of the Nursing Facility Sustainability Program Special Fund.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$27,000,000 out of the Nursing Facility Sustainability Program Special Fund for fiscal years 2023-2024 and 2024-2025 for the purposes of the Special Fund;
- (2) Changing the effective date to upon approval; provided that sections 14 and 15 shall take effect on July 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. 1369, 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. 1369, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Lee, and Aquino.

Managers on the part of the Senate.

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

Representatives Mizuno, Belatti, Morikawa, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 140 on H.B. No. 953**

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to develop and publish a website that includes the application processes for a permit, license, or reservation needed to conduct recreational and commercial activity in the State regulated by or under the jurisdiction of the Department;
- (2) Require the Department of Land and Natural Resources to convert existing application processes into a digital format to be used on the website; and
- (3) Appropriate funds for the establishment of the website.

Your Committee on Conference has amended this measure by:

- (1) Removing the deadline for the Department of Land and Natural Resources to develop and publish a website including all online application processes;
- (2) Requiring the Department of Land and Natural Resources to develop and publish a mobile application accompanying the website and include a means of collecting any fee through the website and mobile application;
- (3) Expanding the list of online application processes to be available on the website and mobile application to include licenses to visit a state-owned park, beach, forest, hiking trail, or other natural area on state land, as designated by rule by the Board Of Land And Natural Resources;
- (4) Deleting language that would have required the Department of Land and Natural Resources to submit a report regarding its implementation of the website to the Legislature;
- (5) Requiring the website and mobile application to be accessible to people with disabilities and available in multiple languages;
- (6) Inserting an appropriation amount of \$1,000,000 for the establishment of a website and mobile application for fiscal year 2023-2024 and deleting the appropriation for fiscal year 2024-2025;
- (7) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (8) Changing the effective date to July 1, 2023; 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. 953, 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. 953, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs and Senate President on behalf of the Committee.

Senators Inouye, Keith-Agaran, and Elefante.

Managers on the part of the Senate.

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

Representatives Ichiyama, Quinlan, Morikawa, Chun, Poepoe, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 141 on H.B. No. 923**

The purpose of this measure is to:

- (1) Require counties with a private activity bond issuance program to exhaust their allotment of private activity bonds before applying to the State for a state allocation;
- (2) Require the State, if it receives a county allocation of private activity bonds, to award the amount of the county allocation to projects in that county before awarding the allocation to projects in other counties;
- (3) Require a project seeking private activity bond financing to first apply to the county in which the project is located for a portion of the county's allocation, if that county has a private activity bond issuance program, before applying to the State; and
- (4) Require the Director of Finance of each county to report to the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation the amount of the county's unused or unassigned allocation of private activity bonds.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that private activity bond allocations may be awarded to projects located in other counties pursuant to a cooperative agreement with the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation;
- (2) Authorizing the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation to enter into a cooperative agreement, which shall be exempt from all state and county laws and rules relating to the award of private activity bonds and Low-Income Housing Tax Credits, with a county to coordinate the award of private activity bonds and Low-Income Housing Tax Credits for new rental housing projects;
- (3) Deleting language that would have required a project seeking private activity bond financing to first apply to the county in which the project is located for a portion of the county's allocation, if that county has a private activity bond issuance program, before applying to the State;
- (4) Specifying that no special purpose revenue bonds requiring an allocation of annual state ceiling shall be authorized after June 30, 2023, and before December 31, 2028;
- (5) Changing the effective date to July 1, 2023; 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. 923, 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. 923, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Keith-Agaran, and Aquino.

Managers on the part of the Senate.

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

Representatives Hashimoto, Yamashita, Aiu, Evslin, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 142 on H.B. No. 677**

The purpose of this measure is to:

- (1) Change the computation of interest that a purchaser of certain real property is required to pay the Hawaii Housing Finance and Development Corporation upon the purchaser's sale or assignment of the real property after a specified period of time;
- (2) Require the Hawaii Housing Finance and Development Corporation to establish a five-year Dwelling Unit Revolving Fund Equity Pilot Program (Pilot Program) to address the high, unmet demand of for-sale units by certain residents;
- (3) Establish and appropriate funds for one full-time equivalent (1.00 FTE) Housing Development Specialist III position; and
- (4) Appropriate funds into and out of the Dwelling Unit Revolving Fund for the Pilot Program.

Your Committee on Conference has amended this measure by:

- (1) Authorizing, rather than requiring, the Hawaii Housing Finance and Development Corporation to:
  - (A) Establish the Pilot Program;
  - (B) Purchase equity in for-sale housing development projects;
  - (C) Establish rules for the Pilot Program; and
  - (D) Establish criteria for the prioritization of eligible buyers based on state goals and policies and submit a report on the criteria to the Legislature;
- (2) Clarifying that the Pilot Program shall be funded by the Dwelling Unit Revolving Fund;
- (3) Establishing new qualification requirements for residents to be eligible to participate in the Pilot Program;
- (4) Deleting appropriations for the Pilot Program and the establishment and hiring of the housing specialist;
- (5) Authorizing the Hawaii Housing Finance and Development Corporation to spend up to \$10,000,000 for fiscal year 2023-2024 from the Dwelling Unit Revolving Fund for the Pilot Program;
- (6) Changing the effective date to July 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. 677, 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. 677, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Keith-Agaran, and Aquino.

Managers on the part of the Senate.

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

Representatives Hashimoto, Aiu, Evslin, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 143 on H.B. No. 676**

The purpose of this measure is to authorize the appropriate county land use decision-making authority to determine district boundary amendments involving land areas over fifteen acres but not over thirty acres, except for certain lands, without consideration by the Land Use Commission, if the county adopts an ordinance that meets certain requirements.

Your Committee on Conference has amended this measure by:

- (1) Specifying that an appropriate county land use decision-making authority may determine district boundary amendments as authorized by law;
- (2) Increasing the maximum acreage of certain lands for which a county land use decision-making authority may determine district boundary amendments from thirty acres to one hundred acres;
- (3) Authorizing an appropriate county land use decision-making authority to determine district boundary amendments wholly contained within a county-owned land area that is not greater than one hundred acres without approval by the Land Use Commission, under certain circumstances;
- (4) Requiring each county land-use decision making authority whose county has adopted a pertinent ordinance to submit a report on the effects of this measure to the Legislature prior to the convening of the Regular Session of 2028;
- (5) Changing the effective date to July 1, 2023; 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. 676, 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. 676, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, McKelvey, Rhoads, and Elefante.

Managers on the part of the Senate.

Ayes, 3; Ayes with Reservations (Rhoads). Noes, 1 (McKelvey). Excused, none.

Representatives Hashimoto, Ichiyama, Tarnas, Yamashita, Aiu, Evslin, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 144 on H.B. No. 1397**

The purpose of this measure is to provide supportive housing to certain vulnerable populations impacted by the State's ongoing homelessness crisis and housing shortage.

More specifically, the measure:

- (1) Establishes within the Statewide Office on Homelessness and Housing Solutions a supportive housing pilot program to provide and maintain affordable, permanent housing and services for individuals and families having special needs;
- (2) Requires the Hawaii Housing Finance and Development Corporation to assist in the development of rental housing that is targeted to special needs individuals or families who require supportive services and have household incomes at or below thirty percent of the area median income;
- (3) Requires the Hawaii Public Housing Authority to implement project-based rent supplement payments to assist project owners in maintaining rents at levels affordable to eligible households having incomes at or below thirty per cent of the area median income;
- (4) Requires the Statewide Office on Homelessness and Housing Solutions to administer payments for supportive services that assist residents participating in the pilot program and to develop an information system for the standardized collection of program data;
- (5) Requires interim and final reports to the Legislature; and
- (6) Appropriates funds to the Hawaii Housing Finance and Development Corporation, Hawaii Public Housing Authority, and Statewide Office on Homelessness and Housing Solutions for implementation of the pilot program.

Your Committee on Conference finds that a supportive housing pilot program will help the State determine the impacts of supportive housing for vulnerable populations and provide urgently needed housing during the State's ongoing homelessness crisis and housing shortage.

Your Committee on Conference also finds that the measure's granting to certain state agencies exemptions from Chapters 103D and 103F, Hawaii Revised Statutes (HRS), in selecting qualified nonprofit organizations having expertise in delivering specific services with a public purpose to administer components of the pilot program, is advantageous to the State and ensures an expeditious use of state funds to mitigate this critical problem.

Your Committee on Conference has amended the measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, HRS;
- (2) Authorizing, rather than requiring, the Hawaii Housing Finance and Development Corporation to assist in the development of rental housing, and deleting language that would have authorized the Corporation to establish rules and qualification criteria for the award of supportive housing projects without regard to the requirements of Chapter 91, HRS;
- (3) Authorizing, rather than requiring, the Hawaii Public Housing Authority to implement project-based rent supplement payments and clarifying that the payments are to assist owners of supportive housing projects;
- (4) Specifying that the first supportive housing project to be developed under the pilot program shall be located in a county having a population of more than five hundred thousand;
- (5) Deleting language that would have deposited general fund moneys into the rental housing revolving fund and appropriated moneys out of the rental housing revolving fund for expenditure by the Hawaii Housing Finance and Development Corporation;
- (6) Replacing the measure's previously unspecified appropriation amounts with specific appropriation amounts, and deleting certain nonlapsing provisions from the appropriation sections;
- (7) Changing the effective date from July 1, 2050, to July 1, 2023;
- (8) Specifying that the pilot program shall be repealed on June 30, 2025; and
- (9) 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. 1397, 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. 1397, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Moriwaki, and Wakai.

Managers on the part of the Senate.

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

Representatives Hashimoto, Belatti, Aiu, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 145 on H.B. No. 600**

The purpose of this measure is to:

- (1) Establish the Safe Routes to School Advisory Committee (Committee);
- (2) Require the Committee to develop a Safe Routes to School Plan;

- (3) Amend the responsibilities of the Safe Routes to School Program;
- (4) Deposit an unspecified amount of monies into the Safe Routes to School Special Fund; and
- (5) Appropriate an unspecified amount of monies out of the Safe Routes to School Special Fund.

Your Committee on Conference has amended this measure by:

- (1) Further clarifying the duties of the Committee, including specifying that the Committee need only review project proposals and select priority projects within one mile of any school or place of learning;
- (2) Further clarifying the responsibilities of the Safe Routes to School Program;
- (3) Inserting an appropriation amount of \$10,000,000 out of the State Highway Fund to be deposited into the Safe Routes to School Special Fund;
- (4) Inserting an appropriation amount of \$10,000,000 to be appropriated out of the Safe Routes to School Special Fund;
- (5) Changing the effective date to July 1, 2023; 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. 600, 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. 600, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Keith-Agaran, and Keohokalole.

Managers on the part of the Senate.

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

Representatives Todd, Woodson, Kila, Evslin, Ganaden, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 146 on H.B. No. 964**

The purpose of this measure is to:

- (1) Establish a fee, to be assessed by the Lieutenant Governor, for the issuance of apostilles or non-apostille certifications;
- (2) Establish the Apostilles and Certifications Special Fund; and
- (3) Appropriate monies from the general fund into the Apostilles and Certifications Special Fund and authorize an appropriation out of the Apostilles and Certifications Special Fund for operational expenses.

Your Committee on Conference has amended this measure by:

- (1) Inserting a general fund appropriation of \$10,000 to the Apostilles and Certifications Special Fund for fiscal year 2023-2024;
- (2) Removing the appropriation for an unspecified amount out of the Apostilles and Certifications Special Fund;
- (3) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (4) Changing the effective date to January 1, 2024; 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. 964, 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. 964, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators McKelvey, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Representatives Matayoshi, Garrett, Martinez, and Alcos.

Managers on the part of the House.

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

**Conf. Com. Rep. 147 on H.B. No. 579**

The purpose of this measure is to require the Department of the Attorney General to:

- (1) Establish a statewide Human Trafficking Prevention Program; and
- (2) Report to the Legislature on the State's efforts to address human trafficking and the commercial sexual exploitation of children.



Your Committee on Conference has amended this measure by:

- (1) Requiring the statewide strategies developed by the Department of the Attorney General to address offender accountability for child enticement, human trafficking, and commercial sexual exploitation;
- (2) Deleting the requirement that the statewide strategies address pimping;
- (3) Amending the types of data specific to the commercial exploitation of children that the Department of the Attorney General must analyze and report to the Legislature;
- (4) Amending its preamble;
- (5) Changing the 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. 579, 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. 579, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Rhoads, and Kidani.

Managers on the part of the Senate.

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

Representatives Mizuno, Tarnas, Kitagawa, Amato, Ichiyama, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 148 on H.B. No. 554**

The purpose of this measure is to:

- (1) Require that the University of Hawaii ensure that any individual who participates in implementing the University's disciplinary process has training or experience in handling sexual misconduct complaints and the University's disciplinary process;
- (2) Require that the University of Hawaii provide mandatory annual trauma-informed, gender-inclusive, LGBTQ+-inclusive sexual misconduct primary prevention and awareness programming for students and employees of the University;
- (3) Prohibit the University from taking certain disciplinary action against individuals reporting sexual misconduct unless certain exceptions apply; and
- (4) Establish positions and appropriate funds.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$1,000,000 for fiscal year 2023-2024 and fiscal year 2024-2025 for the four full-time equivalent positions;
- (2) Clarifying that the positions being established are administrative, professional, and technical positions;
- (3) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (4) Changing the effective date to upon approval, with the appropriation to take effect on July 1, 2023; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 554, 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. 554, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kim, Keith-Agaran, San Buenaventura, Fukunaga, and Fevella.

Managers on the part of the Senate.

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

Representatives Perruso, Tarnas, Kobayashi, Kapela, La Chica, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 149 on H.B. No. 353**

The purpose of this measure is to appropriate funds for the expansion of the Certified Nurse Aide to Practical Nurse Bridge Program at the University of Hawaii Maui College, including funding for instructional costs and student aid.

Your Committee on Conference has amended this measure by:

- (1) Inserting appropriation amounts for instructional costs for, and student aid to participants in, the Certified Nurse Aide to Practical Nurse Bridge Program at the University of Hawaii Maui College;
- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2023; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 353, 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. 353, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kim, Aquino, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Representatives Perruso, Poepoe, La Chica, Martinez, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 150 on S.B. No. 1022**

The purpose of this measure is to:

- (1) Amend the composition and qualifications of the Early Learning Board;
- (2) Establish general qualifications for the members of the Early Learning Board appointed by the Governor; and
- (3) Require the Early Learning Board to establish an Early Learning Stakeholder Advisory Council.

Your Committee on Conference finds that the Early Learning Board is comprised of industry experts and professionals that advise the State on early childhood education matters, including programs, inter-agency collaboration, and direction of policy. Representatives of the Early Learning Board reflect a diversity of professions, experiences, and leadership skills from across the education, human services, and early childhood care sectors. This measure continues to address the dire need for early childhood education while also ensuring effective leadership on education policy.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the minimum and ideal qualifications of nominees for the Early Learning Board;
- (2) Deleting language that would have added a member who is a representative of Hawaiian medium early learning providers and a member who is a pediatrician with a child development focus;
- (3) Adding three members from the City and County of Honolulu, rather than one member;
- (4) Deleting language that would have created an Early Learning Stakeholder Advisory Council;
- (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. 1022, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1022, 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, Kitagawa, Marten, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 151 on S.B. No. 588**

The purpose of this measure is to:

- (1) Require the Department of Transportation, in conjunction with counties having a population greater than 500,000, to develop and implement a pilot program until December 31, 2025, that uses noise detection traffic cameras to address excessive traffic noise in urban areas in each participating county;
- (2) Require the Department of Transportation to submit a report to the Legislature; and
- (3) Appropriate funds.

Your Committee on Conference finds that the rapid proliferation of noise pollution, especially in urban areas, can be detrimental to the overall health of Hawaii's people. As a prevalent issue in many neighborhoods, noise pollution can attribute to short- and long-term health impacts. This measure establishes a noise detection traffic camera pilot program to assist in reducing noise pollution across the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$2,500,000 for FY 2023-2024 and FY 2024-2025 from the State Highway Fund for the implementation of the noise detection camera pilot program; and
- (2) Inserting an effective date of July 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. 588, 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. 588, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Todd, Chun, Aiu, and Matsumoto.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 1 (Aiu).

**Conf. Com. Rep. 152 on S.B. No. 814**

The purpose of this measure is to:

- (1) Require the Office of Enterprise Technology Services, in consultation with the Office of Language Access and a working group comprising stakeholders, to develop and publish, and periodically review and update, electronic information technology multilingual accessibility standards to be implemented by all state entities; and
- (2) Appropriate funds for an unspecified number of positions.

Your Committee on Conference finds that developing statewide electronic information technology accessibility standards to assist persons having limited English proficiency will help residents navigate government programs and improve residents' engagement with public services. This measure establishes electronic information technology and multilingual accessibility standards, provides a critical link to communication, and makes government services accessible for all individuals regardless of their language proficiency.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Inserting an appropriation amount of \$100,000 for fiscal year 2023-2024 for one full-time equivalent (1.00 FTE) position;
- (3) Inserting an effective date of 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 managers 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. 814, 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. 814, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Matayoshi, Garrett, Martinez, and Alcos.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 153 on S.B. No. 855**

The purpose of this measure is to:

- (1) Authorize a condominium association to provide a summary of the required information in its budget;
- (2) Authorize a condominium association's reserve study to forecast a loan or special assessment to fund life safety equipment or installations for any building located in a county with a population greater than five hundred thousand;
- (3) Authorize a condominium association to use a third party to conduct a reserves study on behalf of the condominium; and
- (4) Clarify the information to be included in the description of how the estimated replacement reserves assessments are computed.

Your Committee on Conference finds that certain condominiums are required to make fire safety upgrades. These upgrades can cost a condominium association millions of dollars, resulting in the condominium association drastically increasing its maintenance fees.

This measure requires a condominium association to update its annual operating budget and reserve study to ensure that it provides complete and accurate information on required expenditures to allow association members to plan accordingly.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 855, 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. 855, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Fukunaga, and Awa.  
Managers on the part of the Senate.  
Ayes, 2. Noes, none. Excused, 1 (Awa).

Representatives Nakashima, Kitagawa, Hussey-Burdick, Tam, and Pierick.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Tam).

**Conf. Com. Rep. 154 on S.B. No. 1518**

The purpose of this measure is to:

- (1) Provide procurement exemptions for the Department of Education for certain goods, services, and construction;
- (2) Require the Department of Education to transition to the electronic procurement system maintained by the State Procurement Office no later than June 30, 2025; and
- (3) Sunset on July 30, 2025.

Your Committee on Conference finds that the Department of Education procures numerous goods, services, and construction to maintain effective daily operations. However, the Department of Education is mandated to adhere to the Hawaii Public Procurement Code for its purchases triggered by certain threshold amounts. Additionally, the Department of Education is also mandated to utilize the electronic procurement system, creating further delays and limitations to school administrators who urgently need to address campus-specific issues. This measure exempts the Department of Education from certain procurement requirements to allow for the timely purchasing and streamlined operations of the Department of Education.

Your Committee on Conference has amended this measure by:

- (1) Inserting language from the S.D. 2 version of this measure that authorizes the Department of Education to procure goods and services and construction below certain dollar amounts without using an electronic procurement system under certain conditions;
- (2) Deleting language that would have limited the exemption from the requirement to use an electronic procurement system for the procurement of certain goods and services and construction in a county having a population of less than five hundred thousand;
- (3) Clarifying that contracts for Department of Education educational materials shall be exempt from the Hawaii Procurement Code;
- (4) Inserting a sunset date of June 30, 2026;
- (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. 1518, 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. 1518, S.D. 2, H.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Woodson, Matayoshi, Kitagawa, La Chica, and Garcia.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 155 on H.B. No. 1382**

The purpose of this measure is to:

- (1) Allow for the donation of wild game meat, under certain circumstances; and
- (2) Establish a Meat Processing Task Force to develop and implement a plan to expand the meat processing capacity in the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$50,000 for fiscal year 2023-2024 for the Meat Processing Task Force to develop and implement a master plan to expand the meat processing capacity in the State;
- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (3) Changing the effective date to July 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. 1382, 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. 1382, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Aquino, and Richards.

Managers on the part of the Senate.

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

Representatives Gates, Nakashima, Kitagawa, and Ward.

Managers on the part of the House.

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

**Conf. Com. Rep. 156 on H.B. No. 1359**

The purpose of this measure is to amend the existing regulatory framework for hemp production in the State by:

- (1) Repealing redundant regulations;
- (2) Amending the hemp law in a manner that recognizes the unique constraints of Hawaii farmers, while protecting human health;
- (3) Allowing licensed hemp producers to sell hemp biomass;
- (4) Requiring transparency in labeling of hemp products to identify the percentage of Hawaii-grown hemp or hemp from outside the State in all hemp products;
- (5) Requiring and appropriating funds for the Department of Health to hire or consult a toxicologist or consultant familiar with hemp industry standards for the purpose of setting defined action limits or exposure levels for different types of hemp products;
- (6) Requiring the Department of Agriculture and Department of Health to jointly convene a Hawaii Hemp Task Force to gather data and information to understand industry needs and inform strategies and actions that support agriculture and a robust hemp industry in the State;
- (7) Requiring and appropriating funds for the Department of Agriculture to hire a third-party consultant to identify the infrastructure needs of Hawaii hemp farmers and the hemp industry on each island; and
- (8) Extending the State's hemp processor law through July 1, 2027.

Your Committee on Conference has amended this measure by:

- (1) Prohibiting hemp from being grown within three hundred feet, rather than five hundred feet, of pre-existing real property comprising a playground, childcare facility, or school, except for an individual or entity licensed to grow hemp in those areas under the state industrial hemp pilot program before August 27, 2020;
- (2) Prohibiting hemp from being grown within one hundred feet, rather than five hundred feet, of any pre-existing house, dwelling unit, residential apartment, or other residential structure that is not owned or controlled by the license holder, except for an individual or entity licensed to grow hemp in those areas under the state industrial hemp pilot program before August 27, 2020;
- (3) Amending the types of documentation that a person who applies to operate as a hemp processor must provide;
- (4) Further clarifying the labeling requirements to identify the percentage of Hawaii-grown hemp or hemp from outside the State in all hemp products;
- (5) Requiring the Hawaii Hemp Task Force to work with the Narcotics Enforcement Division of the Department of Public Safety or Department of Law Enforcement, as applicable, to streamline and harmonize definitions and regulations relating to hemp;
- (6) Inserting an appropriation amount of \$50,000 each for the hiring of the toxicologist or consultant to set defined action limits or exposure levels for different types of hemp products and for the hiring of the third-party consultant to identify the infrastructure needs of Hawaii hemp farmers and the hemp industry on each island;
- (7) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (8) Changing the effective date to July 1, 2023; 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. 1359, 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. 1359, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Keohokalole, Aquino, and Rhoads.

Managers on the part of the Senate.

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

Representatives Gates, Belatti, Nakashima, Morikawa, and Ward.

Managers on the part of the House.

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

**Conf. Com. Rep. 157 on H.B. No. 1082**

The purpose of this measure is to:

- (1) Authorize the Department of Health to allow written certifications for a qualifying patient with a chronic condition to be valid for three years;
- (2) Remove the requirement that a certifying physician or advanced practice registered nurse have a bona fide physician-patient or advanced practice registered nurse-patient relationship with a qualifying patient;
- (3) Define “waiting room” within a medical cannabis retail dispensing location and specifying who may have access to the waiting room;
- (4) Clarify the types of manufactured cannabis products that may be manufactured and distributed by medical cannabis dispensaries;
- (5) Clarify the Department of Health’s rulemaking authority;
- (6) Authorize selling dispensaries to transport more than eight hundred ounces of cannabis or manufactured cannabis products to a purchasing dispensary with prior approval from the Department of Health;
- (7) Clarify that each day a violation of the medical cannabis dispensary program law occurs constitutes a separate violation;
- (8) Require medical cannabis dispensaries, in conjunction with certifying physicians and advanced practice registered nurses, to conduct the continuing education and training program for medical cannabis dispensaries, rather than the Department of Health; and
- (9) Establish the Medical and Adult Use Cannabis Working Group.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have removed the existing statutory requirement for bona fide physician-patient or advanced practice registered nurse-patient relationships;
- (2) Amending the medical cannabis dispensary program licensing fee structure;
- (3) Adding or clarifying requirements for the dispensary program related to signage, packaging, and supervision of certain personnel while onsite at retail dispensing locations or medical cannabis production centers;
- (4) Requiring the Department of Health to work in conjunction with medical cannabis dispensaries and certifying physicians and advanced practice registered nurses to conduct the continuing education and training program;
- (5) Deleting the Medical and Adult Use Cannabis Working Group;
- (6) Inserting a savings clause;
- (7) Changing the effective date to July 1, 2023; 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. 1082, H.D. 3, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1082, H.D. 3, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Keohokalole, Rhoads, Lee, and Shimabukuro.

Managers on the part of the Senate.

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

Representatives Belatti, Nakashima, Kitagawa, and Pierick.

Managers on the part of the House.

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

**Conf. Com. Rep. 158 on H.B. No. 388**

The purpose of this measure is to:

- (1) Adopt the National Instructional Materials Accessibility Standard; and
- (2) Require the Department of Education to follow certain procedures to ensure that eligible students obtain instructional materials in an appropriate and accessible format.

Your Committee on Conference has amended this measure by:

- (1) Requiring an individualized education program for an eligible student to specify the supplementary aids and services the program reasonably anticipates the student will need to receive for the duration of the program for reasonable access to classroom materials and media that were not previously identified by the program;
- (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. 388, 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. 388, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Woodson, Morikawa, Marten, and Garcia.  
Managers on the part of the House.  
Ayes, 4; Ayes with Reservations (Garcia). Noes, none. Excused, none.

#### **Conf. Com. Rep. 159 on S.B. No. 1076**

The purpose of this measure is to:

- (1) Require the Office of Elections to prepare a digital voter information guide, post the guide on its website in compliance with certain accessibility standards, and mail each ballot with a notice that states a voter information guide may be found on its website;
- (2) Require the Attorney General and county corporation counsels to draft explanations of proposed constitutional or charter amendment ballot questions and translate them into certain languages for purposes of the digital voter information guide; and
- (3) Appropriate funds.

Your Committee on Conference finds that some states provide valuable information to registered voters 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 with similar information, which will create a more informed voting public and increase voter participation in elections.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Inserting an appropriation amount of \$171,248 for fiscal year 2023-2024; and
- (3) Making the effective date July 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. 1076, 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. 1076, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Nishimoto, and Souza.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

#### **Conf. Com. Rep. 160 on S.B. No. 726**

The purpose of this measure is to:

- (1) Repeal the administrative assistant position within the Department of Human Resources Development; and
- (2) Reassign the responsibilities for the administrative assistant to the Director of Human Resources Development.

Your Committee on Conference finds that although an Administrative Assistant position within the Department of Human Resources Development (DHRD) was statutorily created through Act 57, Session Laws of Hawaii 2019, this position is currently

unbudgeted and unauthorized. Your Committee on Conference further finds that the Administrative Assistant VI position within DHRD was authorized through Act 248, Session Laws of Hawaii 2022, which has since been established and filled as of November 1, 2022. This measure would repeal the administrative assistant position referenced in section 26-5(f), Hawaii Revised Statutes, and reassign those critical responsibilities to the Director of Human Resources Development.

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. 726, 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. 726, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 161 on S.B. No. 1163**

The purpose of this measure is to appropriate funds for civilian auxiliary aviation operations of the type performed by the Civil Air Patrol.

Your Committee on Conference finds that 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. Your Committee on Conference believes that the Civil Air Patrol is critical to state emergency management. This measure ensures that critical auxiliary aviation services continue to be available to the State in the event of a disaster or emergency.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Inserting an appropriation amount of \$150,000 for FY 2023-2024 for civilian auxiliary aviation services;
- (3) Inserting an effective date of 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 managers 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. 1163, 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. 1163, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Hashem, Chun, Ichiyama, and Souza.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 162 on S.B. No. 1527**

The purpose of this measure is to:

- (1) Change the governmental entity responsible for the administration of the Address Confidentiality Program from the Office of the Lieutenant Governor to the Department of Law Enforcement;
- (2) Authorize the Department of Law Enforcement to contract the services of a third party for the mail forwarding and acceptance of service of legal process aspects of the Address Confidentiality Program; and
- (3) Appropriate funds for the Address Confidentiality Program.

Your Committee on Conference finds that the Address Confidentiality Program is currently housed within the Office of the Lieutenant Governor; however, the open nature of the Office of the Lieutenant Governor and the State Capitol creates safety concerns. This measure will improve the security, safety, and relief for survivors of domestic abuse, sexual offenses, and stalking.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;



- (2) Inserting an appropriation amount of \$170,000 for FY 2023-2024 and FY 2024-2025 for two full-time equivalent (2.0 FTE) positions, operating costs, and equipment to support the Address Confidentiality Program pursuant to chapter 801G, Hawaii Revised Statutes;
- (3) Inserting an effective date of January 1, 2024; 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. 1527, 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. 1527, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, San Buenaventura, Inouye, and Elefante.

Managers on the part of the Senate.

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

Representatives Tarnas, Nishimoto, Ichiyama, and Souza.

Managers on the part of the House.

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

#### **Conf. Com. Rep. 163 on S.B. No. 821**

The purpose of this measure is to establish an Illegal Fireworks Task Force to plan, coordinate, and engage in law enforcement operations to interdict illegal fireworks; develop a comprehensive strategic plan to stop the importation of illegal fireworks and explosives into the State; promote compliance with the state fireworks control laws; and ensure the safety and security of the airports, harbors, and other facilities and institutions in the State against the discharge of illegal fireworks and explosives.

Your Committee on Conference finds that the Fireworks Control Law and its associated penalties have proven to be an inadequate deterrent for the illegal use of fireworks in the State, with the use of illegal fireworks in the State increasing in recent years and fireworks going off in certain neighborhoods for months at a time. This measure will reduce the usage of illegal fireworks in the State and address the inadequacies of the Fireworks Control Law.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Inserting an appropriation amount of \$1,250,000 for FY 2023-2024 for the Illegal Fireworks Task Force;
- (3) Inserting an effective date of 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 managers 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. 821, 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. 821, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Kidani, and Elefante.

Managers on the part of the Senate.

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

Representatives Tarnas, Nishimoto, Takayama, and Souza.

Managers on the part of the House.

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

#### **Conf. Com. Rep. 164 on S.B. No. 941**

The purpose of this measure is to:

- (1) Authorize the School Facilities Authority to partner with public and private agencies to develop housing, including workforce housing, for teachers, educators, and staff and develop classrooms;
- (2) Authorize the School Facilities Authority to transfer appropriated funds to partner state agencies for the development of housing and classrooms;
- (3) Appropriate funds to the School Facilities Authority for the construction of housing and classrooms; and
- (4) Specify Nanakuli High School, Waipahu High School, and Mililani High School as initial locations for the construction with location and tenant requirements.

Your Committee on Conference finds that Hawaii continues to suffer from a chronic shortage of licensed teachers. Providing financial incentives and affordable options for teacher housing are key strategies for teacher recruitment and retention. This measure aims to address the ongoing teacher shortage by constructing workforce housing for teachers, educators, and staff at certain Department of Education schools.

Your Committee on Conference has amended this measure by:

- (1) Inserting language authorizing the School Facilities Authority to:
  - (A) Subdivide real, personal, or mixed property;
  - (B) Partner with public and private development agencies to develop housing on or off campus;
  - (C) Request any state or county agency to render services to the Authority; and
  - (D) Transfer property to another public agency or contract to manage the leasing and property management of housing projects;
- (2) Deleting language that would have appropriated general revenues of the State of Hawaii into the School Facilities Special Fund;
- (3) Specifying that the general fund appropriation for the School Facilities Authority for fiscal year 2023-2024 for teacher housing in H.B. No. 300, H.D. 1, S.D. 1, C.D. 1 (2023), shall be deposited into the School Facilities Special Fund;
- (4) Inserting an appropriation amount of \$170,000,000 out of the School Facilities Special Fund for:
  - (A) The construction of housing prioritized for teachers, educators, and staff; and
  - (B) Other related expenses as deemed appropriate;
- (5) Deleting language that would have allocated the appropriation out of the School Facilities Special Fund for housing and classrooms at certain sites;
- (6) Authorizing the School Facilities Authority to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, with respect to leasing housing developed by the School Facilities Authority;
- (7) Inserting an effective date of July 1, 2023; 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. 941, 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. 941, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Wakai, and Kanuha.

Managers on the part of the Senate.

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

Representatives Hashimoto, Woodson, Kitagawa, Aiu, Marten, and Matsumoto.

Managers on the part of the House.

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

**Conf. Com. Rep. 165 on S.B. No. 1327**

The purpose of this measure is to authorize the Public Utilities Commission to use electronic filing processes, including electronic service of documents, under the statutory chapters regulating public utilities, motor carriers, and water carriers.

Your Committee on Conference finds that under existing law, public utilities, motor carriers, and water carriers must file or serve hard copies of documents with the Public Utilities Commission (PUC). These filings can often exceed ten thousand pages and fill ten to fifteen boxes. During the coronavirus disease 2019 pandemic, electronic filings to the PUC were temporarily allowed, dramatically streamlining the filing process. This measure makes those operational improvements permanent, thus enhancing the regulatory process for the PUC and its staff, as well as stakeholders, regulated utilities, and the public.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1327, 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. 1327, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Richards, and Awa.

Managers on the part of the Senate.

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

Representatives Onishi, Kitagawa, Hussey-Burdick, Sayama, and Pierick.

Managers on the part of the House.

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

**Conf. Com. Rep. 166 on S.B. No. 1586**

The purpose of this measure is to appropriate funds for the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to establish full-time equivalent (FTE) positions.

Your Committee on Conference finds that Hawaii's agricultural ranchers and growers rely on the research, outreach, and education of the University of Hawaii College of Tropical Agriculture and Human Resources' Cooperative Extension. To serve the many and evolving needs of the State's local producers, the Extension requires additional staff. This measure expands the capacity of the Extension to address entomological, livestock, and farm and consumer food safety needs across the islands.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the funds shall be appropriated out of the University of Hawaii Tuition and Fees Special Fund;
- (2) Inserting an appropriation amount of \$500,000 for fiscal year 2023-2024 and the same sum for fiscal year 2024-2025 for five administrative, professional, and technical full-time equivalent (5.0 APT FTE) positions;
- (3) Inserting an effective date of 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 managers 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. 1586, 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. 1586, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kim, Gabbard, Kanuha, Fukunaga, and Fevella.

Managers on the part of the Senate.

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

Representatives Perruso, Kobayashi, Kapela, La Chica, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 167 on S.B. No. 1024**

The purpose of this measure is to:

- (1) Establish long-term goals for zero-emissions transportation in Hawaii to reduce and eliminate transportation emissions;
- (2) Establish the Clean Ground Transportation Working Group and the Interisland Clean Transportation Working Group; and
- (3) Require reports to the Hawaii Climate Change Mitigation and Adaptation Commission and the Legislature.

Your Committee on Conference finds that transportation accounts for the majority of the State's greenhouse gas emissions. As the growing popularity of zero emissions vehicles gains traction, identifying and planning for transportation infrastructure utilizing electricity or zero emissions may provide increased support for the State's population. This measure brings expert stakeholders together and allows each department to adopt rules to achieve zero emissions transportation, and positions the State to be a leader in innovative zero emissions transportation infrastructure and technology.

Your Committee on Conference has amended this measure by:

- (1) Establishing a new section, rather than amending existing statutory language, that creates zero emissions transportation goals that include a reduction of greenhouse gas emissions and achievement of zero emissions across all transportation modes in the State, including ground transportation and sea and air interisland transportation;
- (2) Placing certain requirements of the Department of Transportation, Office of Planning and Sustainable Development, and Hawaii State Energy Office in the Hawaii Revised Statutes, rather than session law;
- (3) Clarifying that the Clean Ground Transportation Working Group shall also include the Zero Emissions Clean Economy Target in the Working Group's scope;
- (4) Requiring the Clean Ground Transportation Working Group to submit annual interim reports to the Climate Change Mitigation and Adaptation Commission from 2024 to 2034, rather than from 2024 to 2026;
- (5) Requiring the Clean Ground Transportation Working Group to submit a final report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2035;
- (6) Dissolving the Clean Ground Transportation Working Group on January 1, 2035;
- (7) Requiring the Interisland Clean Transportation Working Group to identify not less than fifteen possible transportation hubs throughout the State with at least two in each county to support innovative point-to-point or island-to-island transportation options;
- (8) Clarifying that the Interisland Clean Transportation Working Group shall also include the Zero Emissions Clean Economy Target in the Working Group's scope;
- (9) Requiring the Interisland Clean Transportation Working Group to submit annual interim reports to the Climate Change Mitigation and Adaptation Commission from 2024 to 2034, rather than from 2024 to 2026;
- (10) Requiring the Interisland Clean Transportation Working Group to submit a final report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2035;
- (11) Dissolving the Interisland Clean Transportation Working Group on January 1, 2035;

- (12) Inserting an effective date of July 1, 2023; and
- (13) 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. 1024, 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. 1024, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 168 on S.B. No. 945**

The purpose of this measure is to:

- (1) Beginning January 1, 2024, 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 under certain circumstances; and
- (3) Appropriate funds from the Compliance Resolution Fund for three full-time equivalent (3.0 FTE) permanent examiners.

Your Committee on Conference finds that digital currency is an asset that is primarily managed or stored electronically. Although digital currency has grown in popularity and acceptance worldwide, there is little regulation of the digital currency industry in the United States. The Division of Financial Institutions of the Department of Commerce and Consumer Affairs and the Hawaii Technology Development Corporation confirmed that a new regulatory framework for digital currency transactions is appropriate. This measure establishes a program for the licensure, regulation, and oversight of digital currency companies.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$500,000 for three full-time equivalent (3.0 FTE) permanent examiners;
- (2) Inserting an effective date of July 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. 945, 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. 945, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Sayama, Kitagawa, Chun, Hussey-Burdick, and Pierick.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 2 (Hussey-Burdick, Pierick).

**Conf. Com. Rep. 169 on S.B. No. 531**

The purpose of this measure is to authorize the School Facilities Authority Board to appoint an Executive Director of the School Facilities Authority.

Your Committee on Conference finds that the School Facilities Authority is tasked with a mission to develop, plan, and construct all public schools in the State. Presently, other administratively attached agencies of the Department of Education, such as the Executive Office on Early Learning, State Public Charter School System, and State Library System, require their respective boards to appoint their Executive Director. However, the School Facilities Authority Executive Director is appointed by the Governor with the advice and consent of the Senate. This measure promotes uniformity and consistency among the administratively attached agencies of the Department of Education.

Your Committee on Conference has amended this measure by:

- (1) Inserting the language that requires the School Facilities Authority Board to appoint an Executive Director of the School Facilities Authority into section 302A-1704, Hawaii Revised Statutes, rather than section 302A-1702, Hawaii Revised Statutes;
- (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 managers 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. 531, 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. 531, 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, 2. Noes, none. Excused, 1 (Fevella).

Representatives Woodson, Kitagawa, La Chica, Marten, and Garcia.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 170 on S.B. No. 599**

The purpose of this measure is to:

- (1) Allow certain physician assistants to sign orders for respiratory therapy and plans of care; and
- (2) Expand the class of health care providers under whom respiratory therapists may practice respiratory care to include physician assistants and advanced practice registered nurses.

Your Committee on Conference finds that patient access to high quality health care depends upon health care providers' scopes of practice reflecting the full extent of providers' training and capabilities. Although physician assistants and advanced practice registered nurses possess the necessary skills and training to issue orders for respiratory therapy and oversee the provision of respiratory care by respiratory therapists, and are allowed to do so under federal regulations, existing state law prohibits them from prescribing, ordering, or directing respiratory care services. This measure aligns state law with federal standards to provide greater access to respiratory health care services for the State's residents.

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. 599, 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. 599, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Keohokalole, and Shimabukuro.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Belatti, Nakashima, Takenouchi, and Pierick.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 1 (Nakashima).

**Conf. Com. Rep. 171 on S.B. No. 729**

The purpose of this measure is to:

- (1) Require the Auditor to conduct a sunrise analysis on the proposed regulatory controls for members of condominium association boards of directors (board members); and
- (2) Require the Real Estate Commission to develop a curriculum to be made available to board members.

Your Committee on Conference finds that existing law imposes a level of care and loyalty on board members to their associations to the level and extent required of an officer or director of a corporation. However, board members are volunteers who often do not have the proper training or education regarding their authority and duties. This measure takes important steps to ensuring that board members understand their authorities and duties to improve as leaders of their condominium associations.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have required the Auditor to conduct a sunrise analysis on the proposed regulatory controls for board members;
- (2) Clarifying that the Real Estate Commission shall develop a curriculum for leadership training for condominium boards of directors, including pertinent provisions of chapter 514B, Hawaii Revised Statutes; association governing documents; and the fiduciary duties of board members;
- (3) Inserting an effective date of 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 managers 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. 729, 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. 729, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Hashimoto, Nakashima, Kitagawa, Aiu, Tam, and Matsumoto.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, 1 (Nakashima).

**Conf. Com. Rep. 172 on S.B. No. 295**

The purpose of this measure is to:

- (1) Establish within the Office of Wellness and Resilience the Malama Ohana Working Group to seek, design, and recommend transformative changes to the State's existing child welfare system;
- (2) Allow the Office of Wellness and Resilience to contract with an administrative facilitator to provide necessary support for the Malama Ohana Working Group;
- (3) Require the Malama Ohana Working Group to report to the Legislature before the Regular Session of 2025; and
- (4) Appropriate funds for the Malama Ohana Working Group.

Your Committee on Conference finds that the problems faced by children and families in the State's child welfare system are extremely complex and cannot be resolved by the Department of Human Services alone. To address and resolve these diverse and multi-faceted problems, it is essential that the State work with the community and various stakeholders to determine solutions. This measure establishes a working group comprised of community members and stakeholders to develop recommendations to establish a child welfare system that is trauma-informed and responsive to the needs of children and families in the system and community.

Your Committee on Conference has amended this measure by:

- (1) Amending the composition, membership, and co-chairs of the Malama Ohana Working Group;
- (2) Removing language that would have appropriated funds for the Malama Ohana Working Group;
- (3) Amending section 1 to reflect its amended purpose;
- (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 managers 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. 295, 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. 295, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Moriwaki, and Shimabukuro.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Mizuno, Kobayashi, and Alcos.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 173 on S.B. No. 1592**

The purpose of this measure is to appropriate funds for the establishment of additional program specialist positions within the Executive Office on Aging for the State's Senior Medicare Patrol Program.

Your Committee on Conference finds that the State's Senior Medicare Patrol Program, established in 1997, educates, assists, and protects Hawaii's most vulnerable population by providing one-on-one counseling, conducting community outreach, and working with other service providers to build a "help net" to assist kupuna statewide. While originally established to protect kupuna from Medicare fraud, the scope of the program's services has expanded to assist kupuna triage other health-related and non-health related fraud cases. Your Committee on Conference further finds that despite the significant expansion of its services and increase in the reported number of fraudulent activities targeting the State's kupuna, the program continues to operate with just two full-time staff positions, relying on volunteers to provide the needed services. This measure will allow the program to retain additional staff to effectively meet the rising demand for its services for the State's kupuna.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Appropriating \$186,288 for fiscal year 2023-2024 and \$192,408 for fiscal year 2024-2025 for the establishment of one full-time equivalent (1.0 FTE) Program Specialist III position, one full-time equivalent (1.0 FTE) Program Specialist IV position, and one full-time equivalent (1.0 FTE) Program Specialist V position within the Executive Office on Aging for the State's Senior Medicare Patrol Program;
- (3) Inserting an effective date of 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 managers 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. 1592, 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. 1592, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, Moriwaki, and Shimabukuro.

Managers on the part of the Senate.

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

Representatives Mizuno, Kobayashi, Amato, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 174 on S.B. No. 67**

The purpose of this measure is to:

- (1) Prohibit commercial vendors from presetting commercial beach equipment on certain beaches under the jurisdiction of the Department of Land and Natural Resources, unless the customer is physically present;
- (2) Require commercial vendors to expeditiously remove commercial beach equipment after the customer has finished using it;
- (3) Allow the Department of Land and Natural Resources to grant exemptions through rules; and
- (4) Establish administrative fines for violations.

Your Committee on Conference finds that the presetting of commercial beach umbrellas, chairs, and other beach equipment on beaches has been a long-standing issue that has generated many complaints. While officers of the Division of Conservation and Resources Enforcement have issued many citations to offenders, courts have often dismissed them due to concessionaires stating that they were setting up equipment for customers with prior reservations. Therefore, this measure seeks to strike a balance between the public's ability to freely enjoy Hawaii's beaches and the visitor industry's desire to provide amenities to their guests.

Accordingly, 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. 67, 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. 67, S.D. 1, H.D. 2, C.D. 1.

Signed by the Senate President and Chairs on behalf of the Committee.

Senators Inouye, Keohokalole, and Keith-Agaran.

Managers on the part of the Senate.

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

Representatives Ichiyama, Tarnas, Nishimoto, Morikawa, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 175 on S.B. No. 1370**

The purpose of this measure is to:

- (1) Establish a standard license to solemnize marriages, valid for one year from the date of issuance;
- (2) Establish a short-term license to solemnize marriages, valid for sixty days from the date of issuance;
- (3) Establish a fee of \$100 per year for the issuance of a standard license;
- (4) Establish a fee of \$25 per sixty-day period for a short-term license; and
- (5) Specify in what amount and to which fund the collected license fees shall be deposited.

Your Committee on Conference finds that prior to Act 211, Session Laws of Hawaii 2021 (Act 211), only individuals with religious affiliations or judicial appointments could obtain a license to solemnize marriages. While Act 211 authorized the issuance of civil licenses to solemnize marriages, it also established a fee for civil licenses. In contrast, no fee was established to obtain a religious or judicial license. This measure addresses this difference in fees to ensure equity among all persons licensed to solemnize marriages in the State.

Your Committee on Conference has amended this measure by:

- (1) Amending section 1 to clarify the purpose of this measure;
- (2) Inserting an effective date of July 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. 1370, 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. 1370, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Aquino, Keohokalole, and Moriwaki.

Managers on the part of the Senate.

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

Representatives Belatti, Takenouchi, Tam, and Garcia.

Managers on the part of the House.

Ayes, 2. Noes, 1 (Garcia). Excused, 1 (Tam).

**Conf. Com. Rep. 176 on S.B. No. 404**

The purpose of this measure is to:

- (1) Make various updates to the Hospital Sustainability Program, including:
  - (A) Amending the definition of “private hospital”;
  - (B) Clarifying the uses of the Hospital Sustainability Program Special Fund;
  - (C) Increasing various hospital sustainability fee caps;
  - (D) Requiring the Department of Human Services to consult and negotiate with the hospital trade association regarding fee participation and rates; and
  - (E) Clarifying when the hospital sustainability fee shall be discontinued and the method by which any remaining moneys in the Hospital Sustainability Program Special Fund shall be distributed;
- (2) Repeal the sunset dates of Act 217, Session Laws of Hawaii 2012, and Act 123, Session Laws of Hawaii 2014, to make the program permanent and permanently exempt the program from the central service and administrative expenses assessments; and
- (3) Appropriate funds out of the Hospital Sustainability Program Special Fund for the purposes of the Hospital Sustainability Program.

Your Committee on Conference finds that the Hospital Sustainability Program and Hospital Sustainability Program Special Fund, established in 2012, have played a major role in protecting hospital access for Medicaid beneficiaries by assessing hospital sustainability fees on the hospitals, using the fee revenues to obtain matching federal funds, and returning more moneys to the hospitals than were assessed in fees, which are then used to supplement the cost of providing services for Medicaid recipients. Your Committee on Conference further finds that the Hospital Sustainability Program is scheduled to be repealed on December 31, 2023, with funding provisions scheduled to be repealed on June 30, 2024. This measure will enhance and make the program permanent, thereby preserving and improving access to quality health care for Medicaid recipients in the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$173,000,000 out of the Hospital Sustainability Program Special Fund for fiscal year 2023-2024 and the same sum for fiscal year 2024-2025 for the Hospital Sustainability Program;
- (2) Making it effective upon approval; provided that the appropriation shall take effect on July 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. 404, 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. 404, 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, and Aquino.

Managers on the part of the Senate.

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

Representatives Mizuno, Belatti, Morikawa, Amato, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 177 on S.B. No. 1534**

The purpose of this measure is to:

- (1) Create a mileage-based road usage charge to replace state motor fuel taxes beginning on July 1, 2025, for electric vehicles;
- (2) Eliminate the \$50 annual state vehicle registration surcharge for electric vehicles;
- (3) Authorize electric vehicle owners to pay a registration surcharge or a per-mile road usage fee until June 30, 2028;
- (4) Require certificates of inspection to state the odometer reading of vehicles;
- (5) Require motor vehicle registration applications to specify whether the type of fuel for which the vehicle is adapted is battery electricity;



- (6) Require the Department of Transportation to plan for the deployment of a state mileage-based road user charge program by 2033 and submit a report to the Legislature; and
- (7) Appropriate funds.

Your Committee on Conference finds that state fuel tax revenues are declining, creating a smaller source of revenue for transportation infrastructure improvements and maintenance. However, the establishment of a state mileage-based road usage charge for certain fuel-efficient and zero emissions motor vehicles can be incorporated into existing motor vehicle safety inspections, creating a sustainable source of revenue to support roadway maintenance costs. This measure establishes a state mileage-based road usage charge to reduce overall vehicle miles traveled while incentivizing motor vehicles that are fuel-efficient and zero emissions.

Your Committee on Conference has amended this measure by:

- (1) Inserting a rate of 0.8 cents per mile traveled to be used in the calculation of the state mileage-based road usage charge;
- (2) Limiting the state mileage-based road usage charge to not more than \$50 per year;
- (3) Assessing the first registration renewal at \$50 for new motor vehicles that do not require a certificate of inspection;
- (4) Authorizing owners of electric vehicles to be offered a choice to pay a \$50 registration surcharge in lieu of the state mileage-based road usage charge until June 30, 2028;
- (5) Requiring the Department of Transportation to also include in the implementation plan recommendations for ensuring:
  - (A) Compatibility with the deployment of a mileage-based road usage charge by any county; and
  - (B) Broad implementation continues to account for and incentivize fuel-efficient vehicles;
- (6) Inserting an appropriation amount of \$1,300,000 for FY 2023-2024 from the State Highway Fund for the initial implementation of the state mileage-based road user charge;
- (7) Inserting an effective date of July 1, 2023;
- (8) Providing that sections 3, 4, and 5 shall not take effect until July 1, 2025; 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. 1534, 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. 1534, S.D. 2, H.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 178 on S.B. No. 900**

The purpose of this measure is to:

- (1) Require the Executive Office on Aging to submit annual progress reports to the Legislature on the Hawaii State Health Insurance Assistance Program; and
- (2) Appropriate funds for the establishment of full-time equivalent Program Specialist positions within the Executive Office on Aging for the Hawaii State Health Insurance Assistance Program.

Your Committee on Conference finds that the Hawaii State Health Insurance Assistance Program helps individuals, especially kupuna, understand and access Medicare benefits. As the State's Medicare population continues to grow, so too does the need and demand for the program's services. This measure increases the capacity of the Hawaii State Health Insurance Program to ensure all individuals receive the support they need to access health insurance.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Appropriating \$186,288 for fiscal year 2023-2024 for the establishment of one full-time equivalent (1.0 FTE) Program Specialist III position, one full-time equivalent (1.0 FTE) Program Specialist IV position, and one full-time equivalent (1.0 FTE) Program Specialist V position within the Executive Office on Aging for the Hawaii State Health Insurance Assistance Program;
- (3) Inserting an effective date of 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 managers 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. 900, 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. 900, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Moriwaki, and Aquino.

Managers on the part of the Senate.

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

Representatives Belatti, Takenouchi, Kobayashi, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 179 on S.B. No. 674**

The purpose of this measure is to:

- (1) Adopt the Interstate Medical Licensure Compact;
- (2) Allow the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact;
- (3) Allow the Department of Commerce and Consumer Affairs to conduct criminal history record checks on applicants for physician licensure under the Compact; and
- (4) Appropriate funds for the Hawaii Medical Board's implementation of the Compact.

Your Committee on Conference finds that the State faces a significant shortage in the number of health care professionals, especially in neighbor islands and rural areas. Your Committee on Conference further finds that the Interstate Medical Licensure Compact creates a comprehensive process that complements the existing licensing and regulatory authority of state medical boards and provides a streamlined process that allows physicians to become licensed in multiple states. This measure will increase access to health care for individuals in rural and medically underserved areas of the State and alleviate the State's health disparities by authorizing the Governor to enter into the Interstate Medical Licensure Compact on behalf of the State.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that is not in the model Compact language, which would have excluded from the immunity granted to the Interstate Commission's officers and employees, suit or liability for damage, loss, injury, or liability caused by negligence or gross negligence of such person;
- (2) Requiring, rather than allowing, the Department of Commerce and Consumer Affairs to adopt rules for the purpose of implementing and administering the Compact;
- (3) Deleting section 2 of the measure, which would have allowed the Department of Commerce and Consumer Affairs to conduct criminal history record checks on physician licensure applicants through the Interstate Medical Licensure Compact;
- (4) Deleting section 3 of the measure, which would have appropriated funds out of the Compliance Resolution Fund for the Hawaii Medical Board's implementation of the Interstate Medical Licensure Compact;
- (5) Making it effective upon its approval; provided that section 1 of the measure, which adds a new chapter to the Hawaii Revised Statutes governing the Interstate Medical Licensure Compact, shall take effect on January 1, 2025; 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. 674, 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. 674, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Keohokalole, and Keith-Agaran.

Managers on the part of the Senate.

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

Representatives Belatti, Sayama, Takenouchi, and Pierick.

Managers on the part of the House.

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

**Conf. Com. Rep. 180 on S.B. No. 865**

The purpose of this measure is to establish and appropriate funds for the Ninety-Nine Year Leasehold Pilot 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 Community Development Authority (HCDA) to qualified residents.

Your Committee on Conference finds that the State has a severe lack of affordable housing, resulting in residents leaving Hawaii in hopes of cheaper living conditions. Your Committee on Conference further finds that there are significant barriers to the development of affordable housing in Hawaii and that the State needs innovative solutions to address the housing crisis and keep families in Hawaii. This measure is intended to increase homeownership and the affordability of leasehold housing units by increasing the term of the lease of certain state lands for a term of ninety-nine years.

Your Committee on Conference has amended this measure by:

- (1) Making the Ninety-Nine Year Leasehold Pilot Program a Ninety-Nine Year Leasehold Program;
- (2) Deleting:
  - (A) The definitions for “commercial project”, “pilot program”, “public agency”, “public facilities”, “redevelopment project”, and “residential project”;
  - (B) Language that would have required HCDA to:
    - (i) Adopt certain administrative rules;
    - (ii) Consider certain general principles regarding actions on urban redevelopment sites;
    - (iii) Recoup expenses through the sales of the leasehold interest of homes within an urban redevelopment site and other revenue sources;
    - (iv) Establish a waitlist for eligible buyers; and
    - (v) Use the price at which the owner purchased the home as the cost basis to determine the buyback price; and
  - (C) Language that would have created a tax exemption for the sale of leasehold interest for homes within an urban redevelopment site;
- (3) Inserting:
  - (A) The requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes; and
  - (B) Language that:
    - (i) Requires that development be revenue-neutral to the greatest extent possible;
    - (ii) Requires urban redevelopment sites to maximize walkability; and
    - (iii) Allows HCDA to establish administrative rules that authorize the Executive Director to waive compliance with respect to the occupancy and residency requirements established in this measure;
- (4) Authorizing, rather than mandating, HCDA to require that at least fifty per cent of the residential condominium units be sold to an individual or household with an income of up to one hundred forty per cent of the area median income;
- (5) Amending:
  - (A) References to “home” or “homes” to “residential condominium unit” or “residential condominium units”; and
  - (B) A reference to “multipurpose project” to “mixed-use project”; and
  - (C) The definitions of “project” and “public transit station”;
- (6) Clarifying that HCDA:
  - (A) Has the right of first refusal to purchase residential condominium units for a certain period of time and for a buyback price to be determined by HCDA; and
  - (B) May lease all or any portion of the real or personal property constituting a commercial project without recourse to the Hawaii Public Procurement Code; and
- (7) Inserting the following appropriation amounts:
  - (A) \$1,500,000 for fiscal year 2023-2024 for HCDA to adopt rules, engage the community, and conduct site and predevelopment planning for the Ninety-Nine Year Leasehold Program; and
  - (B) \$190,000 for fiscal year 2023-2024 and the same sum for fiscal year 2024-2025 for the establishment of two full-time equivalent (2.0 FTE) positions within HCDA;
- (8) Amending section 2 to reflect its amended purpose;
- (9) Inserting an effective date of July 1, 2023; and
- (10) 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. 865, 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. 865, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Inouye, McKelvey, Wakai, and Kanuha.

Managers on the part of the Senate.

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

Representatives Hashimoto, Ichiyama, Aiu, Todd, and Matsumoto.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 181 on S.B. No. 1064**

The purpose of this measure is to establish the Dam and Appurtenance Improvement or Removal Grant Program to provide the owners of private dams and appurtenances with funds for plans, design, construction, and equipment to improve or remove deficient dams and appurtenances.

Your Committee on Conference finds that many privately owned dams and appurtenances — often constructed during the plantation era — have not been properly maintained and may be hazardous to public health and safety. Your Committee on Conference further finds that because the costs to improve or remove these deficient dams and appurtenances are often prohibitive, a grant program to provide funding for these costs could provide a viable solution for both owners and the public. Therefore, this measure establishes the Dam and Appurtenance Improvement or Removal Grant Program.

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

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Deleting the provision that would require grants awarded under the Dam and Appurtenance Improvement or Removal Grant Program to not exceed an unspecified amount;
- (3) Deleting the unspecified appropriation for fiscal year 2023-2024 and fiscal year 2024-2025 for the purposes of the Dam and Appurtenance Improvement or Removal Grant Program;
- (4) Inserting an appropriation in the amount of \$10,000,000 for fiscal year 2023-2024 as one-time seed funding for the Dam and Appurtenance Improvement or Removal Grant Program;
- (5) Inserting an appropriation in the amount of \$220,000 for fiscal year 2023-2024 and fiscal year 2024-2025 for operating expenses and the establishment of two full—time equivalent (2.0 FTE) permanent positions within the Department of Land and Natural Resources;
- (6) Inserting an effective date of July 1, 2023; 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. 1064, 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. 1064, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Ichiyama, Lamosao, Chun, Morikawa, and Souza.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 182 on S.B. No. 813**

The purpose of this measure is to:

- (1) Beginning in 2026 and every three years thereafter, require the Judiciary to conduct a study on interpreter fees;
- (2) Require the Judiciary to increase the hourly fees, mileage reimbursement rate, and commuter-time compensation rate for court interpreters; and
- (3) Appropriate funds.

Your Committee on Conference finds that court interpreters are independent contractors of the Judiciary, who play an integral role in the administration of justice and provide critical language access in the State's courts. The compensation for court interpreters has remained unchanged for the most part since it was established in 2007. This measure will help determine whether to increase the fees and rates for court interpreters.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Removing language that would have required the Judiciary to increase the hourly fees, mileage reimbursement rate, and commuter-time compensation rate for court interpreters;
- (3) Inserting an appropriation amount of \$20,000 for fiscal year 2023-2024 to fund the study for annual adjustments of fees for court interpreters;
- (4) Amending section 2 to reflect its amended purpose;

- (5) Making it effective on July 1, 2023; 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. 813, 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. 813, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Tarnas, Nishimoto, Ganaden, and Souza.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 1 (Ganaden).

**Conf. Com. Rep. 183 on S.B. No. 898**

The purpose of this measure is to:

- (1) Establish the State Rent Supplement Program for Kupuna, which temporarily expands the State Rent Supplement Program to provide state rent supplement assistance and other services to qualified persons who are sixty-two years of age or older and are homeless or at imminent risk of becoming homeless;
- (2) Require the Hawaii Public Housing Authority to submit annual reports to the Legislature regarding State Rent Supplement Program for Kupuna; and
- (3) Appropriate funds for the State Rent Supplement Program for Kupuna; provided that the appropriated funds shall be in addition to the Hawaii Public Housing Authority's base budget for the State Rent Supplement Program.

Your Committee on Conference finds that as housing costs and inflation rise, kupuna who rely on retirement income from Social Security or are on fixed incomes are struggling to pay for basic necessities, thereby being forced to cut back on essential expenses, such as food, transportation, and medication. This measure will provide vulnerable kupuna with state rent supplement assistance and other services, thereby preventing them from being displaced from their residence and becoming homeless.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Deleting language that would have required a person who qualifies for the State Rent Supplement Program for Kupuna to participate in the continuum of care coordinated entry system for homeless services;
- (3) Clarifying that under the State Rent Supplement Program for Kupuna, the Hawaii Public Housing Authority shall:
  - (A) Provide housing counseling to assist qualified kupuna in obtaining or retaining permanent housing; and
  - (B) Coordinate with mental health services providers and other supportive services providers to assist qualified kupuna;
- (4) Deleting language that would have exempted the Hawaii Public Housing Authority from chapter 103D, Hawaii Revised Statutes, in selecting an organization to administer the program;
- (5) Inserting an appropriation amount of \$1,000,000 for fiscal year 2023-2024 for the State Rent Supplement Program for Kupuna;
- (6) Deleting language that would have allowed the appropriated funds to be used for an unspecified number of full-time equivalent (FTE) Public Housing Specialist positions within the Hawaii Public Housing Authority;
- (7) Inserting an effective date of July 1, 2023; 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. 898, 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. 898, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Chang, and Inouye.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Hashimoto, Aiu, Kila, and Matsumoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 184 on S.B. No. 1141**

The purpose of this measure is to:

- (1) Transfer the rights, powers, functions, duties, and resources of the Department of Education relating to workers' compensation for the Hawaii State Public Library System and its employees to the Department of Human Resources Development (DHRD);
- (2) Establish an unspecified number of positions within the DHRD for the management and administration of workers' compensation for the Hawaii State Public Library System and its employees; and
- (3) Appropriate an unspecified amount of funds for the workers' compensation costs of the Hawaii State Public Library System and its employees.

Your Committee on Conference finds that the Legislature enacted Act 51, Session Laws of Hawaii 2004, which, in part, transferred certain functions of executive branch agencies that pertained to education personnel to the Department of Education (DOE). Your Committee on Conference further finds that the Legislature enacted Act 61, Session Laws of Hawaii 2012, to clarify that when it passed Act 51 (2004), it had not intended to include the personnel of the Hawaii State Public Library System (HSPLS). Your Committee on Conference recognizes that although DHRD has been managing and administering the workers' compensation claims of HSPLS employees since 2012 through memoranda of agreement and the use of a loaned position, DHRD has not received any additional staff or funding to address its increased administrative responsibilities to HSPLS and its employees. This measure transfers the appropriate resources necessary to officially designate DHRD as the administrator of workers' compensation claims for HSPLS. Your Committee on Conference notes that funds for the workers' compensation costs of the HSPLS and its employees have been appropriated to the DHRD through H.B. 300, H.D. 1, S.D. 1 (2023). Your Committee on Conference further notes that there are a number of permanent positions within HSPLS that are currently vacant.

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

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Deleting:
  - (A) The establishment of an unspecified number of positions within the DHRD for the management and administration of workers' compensation for the Hawaii State Public Library System and its employees; and
  - (B) An appropriation of an unspecified amount of funds for the workers' compensation costs of the Hawaii State Public Library System and its employees;
- (3) Transferring one permanent position and the individual budget of the Hawaii State Public Library System relating to workers' compensation for its employees to the DHRD;
- (4) Inserting an appropriation amount of \$80,000 for fiscal year 2023-2024 for the salary and benefits of one full-time equivalent human specialist position to the DHRD;
- (5) Amending section 2 to reflect its amended purpose;
- (6) Making it effective on July 1, 2023; 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. 1141, 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. 1141, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Matayoshi, Woodson, Garrett, Marten, and Alcos.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 185 on S.B. No. 830**

The purpose of this measure is to:

- (1) Require each Department of Education school and public charter school to establish a critical emergency response team; and
- (2) Appropriate funds.

Your Committee on Conference finds that timely, effective intervention in critical medical emergencies can save lives and reduce the severity of injuries. Presently, the Department of Education has basic emergency response guidance, but there is a gap between the guidance and training provided to ensure faculty and staff are prepared for critical medical emergencies. This measure supplements current Department of Education policy to ensure proper response protocols while also keeping students, faculty, and staff at Department of Education and charter schools safe.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9 of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;

- (2) Deleting language that would have required each department school to establish a critical emergency response team in chapter 302A, Hawaii Revised Statutes, and inserting language establishing a one-year Critical Emergency Response Pilot Program within the Department of Education to establish a critical emergency response team for each department school located in central Oahu selected by the Department to participate in the Pilot Program;
- (3) Deleting language that would have required each public charter school to establish a critical emergency response team in chapter 302D, Hawaii Revised Statutes, and inserting language establishing a one-year Critical Emergency Response Pilot Program within the State Public Charter School Commission to establish a critical emergency response team for each public charter school selected by the Commission to participate in the Pilot Program;
- (4) Inserting language that grants immunity from civil or criminal liability for any critical emergency response team member, except where the individual's conduct would constitute gross negligence, willful and wanton misconduct, or intentional misconduct;
- (5) Inserting language that requires each department school and public charter school participating in their respective pilot programs to develop a known, practiced, and maintained communication method to active the school's critical emergency response team members;
- (6) Inserting language that requires each department school and public charter school participating in their respective pilot programs to run not less than two critical emergency drills during the 2023-2024 school year with a drill response time goal of less than three minutes;
- (7) Requiring reports to the Legislature before the Regular Session of 2024;
- (8) Inserting an appropriation amount of \$350,000 for fiscal year 2023-2024 for the Department of Education to implement the Critical Emergency Response Pilot Program at selected schools;
- (9) Inserting an appropriation amount of \$150,000 for fiscal year 2023-2024 for the State public Charter School Commission to implement the Critical Emergency Response Pilot Program at selected schools;
- (10) Amending section 2 to reflect its amended purpose;
- (11) Inserting an effective date of July 1, 2023; and
- (12) 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. 830, 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. 830, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Shimabukuro, and Kanuha.

Managers on the part of the Senate.

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

Representatives Woodson, Morikawa, Marten, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 186 on S.B. No. 1417**

The purpose of this measure is to require the Hawaii Community Development Authority to consider the impacts of climate change, sea level rise, and climate-resilient development in the design and siting of buildings in the Kakaako and Kalaeloa community development districts.

Your Committee on Conference finds that climate change and sea level rise pose significant, dangerous, and imminent threats to the State. Furthermore, the Kakaako Community Development District and Kalaeloa Community Development District are particularly threatened by the effects of climate change, including sea level rise, king tides, heavy rainfall, and other climate change-related events. Therefore, this measure requires the Hawaii Community Development Authority to consider the impacts of climate change in the design and construction of buildings in the Kaka'ako and Kalaeloa Community Development Districts.

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. 1417, 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. 1417, S.D. 1, H.D. 1, C.D. 1.

Signed by the Senate President and Chairs on behalf of the Committee.

Senators Gabbard, Inouye, Aquino, and DeCoite.

Managers on the part of the Senate.

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

Representatives Ichiyama, Tarnas, Poepoe, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 187 on S.B. No. 1588**

The purpose of this measure is to appropriate funds to the University of Hawaii College of Tropical Agriculture and Human Resources to establish and implement a GroupGAP food safety training and certification program.

Your Committee on Conference finds that the GroupGAP program was created by the United States Department of Agriculture in 2015 to assist small farms with attaining the Good Agricultural Practices certification, which verifies that sound food safety practices have been utilized. Specifically, the GroupGAP program provides training and assistance in food safety to limit the spread of disease and other food-borne illnesses. The Legislature recently passed Act 136, Session Laws of Hawaii 2022, which required the Department of Agriculture to partner with the agricultural sector to establish a GroupGAP food safety certification program in the State. However, the funds appropriated were directed to the University of Hawaii College of Tropical Agriculture and Human Resources which does not have a GroupGAP food safety program. Therefore, a new appropriation is necessary.

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

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Changing the agency responsible for the establishment of a GroupGAP food safety training and certification program from the University of Hawaii College of Tropical Agriculture and Human Resources to the Department of Agriculture;
- (3) Changing the expending agency of appropriated funds from the University of Hawaii College of Tropical Agriculture and Human Resources to the Department of Agriculture;
- (4) Inserting an appropriation amount of \$1,000,000 for fiscal year 2023-2024 to fund the establishment of the program;
- (5) Amending section 2 to reflect its amended purpose;
- (6) Making it effective on July 1, 2023; 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. 1588, 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. 1588, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Aquino, and Richards.

Managers on the part of the Senate.

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

Representatives Gates, Kahaloa, Kapela, La Chica, and Ward.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 2 (Kapela, La Chica).

**Conf. Com. Rep. 188 on S.B. No. 1552**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources to support the Hawaii Ant Lab in mitigating the effects of little fire ants in the State.

Your Committee on Conference finds that the little fire ant is an invasive pest that is difficult to manage and is spreading throughout the islands of Hawaii. The little fire ant is particularly concerning because of their bite, which can cause an irritating burning sensation and welts and marks on the skin. Furthermore, the bite of little fire ants has been correlated with blindness in cats and dogs, which is causing concern amongst pet owners and residents across the State. Therefore, this measure appropriates funds to support and enhance the efficacy of the Hawaii Ant Lab at the Department of Land and Natural Resources to mitigate and contain the effects of the little fire ant in Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Inserting an appropriation amount of \$500,000 for fiscal year 2023-2024;
- (3) Making it effective on 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 managers 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. 1552, 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. 1552, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Aquino, and DeCoite.

Managers on the part of the Senate.

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



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

**Conf. Com. Rep. 189 on S.B. No. 743**

The purpose of this measure is to:

- (1) Extend the Coffee Berry Borer and Coffee Leaf Rust Pesticide Subsidy Program to June 30, 2025, and to reestablish it as the Pesticide and Fertilizer Subsidy Program to encompass fertilizers in addition to pesticides;
- (2) Extend the program manager position, including the position's civil service and collective bargaining laws exemption, to June 30, 2026;
- (3) Require the Department of Agriculture to report to the Legislature; and
- (4) Appropriate funds for the operation and implementation of the Pesticide and Fertilizer Subsidy Program.

Your Committee on Conference finds that the Coffee Berry Borer Pesticide Subsidy Program was established by Act 105, Session Laws of Hawaii 2014 (Act 105), and has since undergone several legislative updates, continuations, and improvements to combat the effects of coffee berry borer as well as coffee leaf rust that threaten the coffee plant in Hawaii. Therefore, this measure further extends and improves upon the ongoing statewide coffee disease control and mitigation effort by appropriating funds for protection of the threatened coffee plant in Hawaii and extending funding for the program positions related to this effort.

Your Committee on Conference have amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Reverting the Pesticide and Fertilizer Subsidy Program to the program's preexisting name, the Pesticide Subsidy Program;
- (3) Removing references to fertilizer from the measure;
- (4) Inserting an appropriation amount of \$150,000 for fiscal year 2023-2024 into and out of the Pesticide Use Revolving Fund for the Pesticide Subsidy Program;
- (5) Amending section 2 to reflect its amended purpose;
- (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. 743, 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. 743, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Aquino, and Richards.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

Representatives Gates, Kahaloa, Cochran, Morikawa, and Ward.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 190 on H.B. No. 300**

**PART I. OVERVIEW**

This measure, as received, includes:

- (1) The base budget from Act 248, Session Laws of Hawaii (SLH) 2022;
- (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 2023-2025 fiscal biennium; and
- (4) The reduction of non-recurring amounts identified in the 2022 executive budget worksheets issued by the Legislature; and
- (5) Various reductions for critical government services.

Your Committee on Conference 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, ceiling increases or decreases, and reductions; and
- (2) Additional funding for critical government services.

	Fiscal Year 2023-2024		Fiscal Year 2024-2025	
	All Funds	General Funds	All Funds	General Funds
Executive Budget Act 248, SLH 2022	\$16,753,577,848	\$8,670,830,979	\$16,753,577,848	\$8,670,830,979
Executive Budget Request	\$18,930,379,945	\$10,623,131,684	\$18,678,595,479	\$10,389,732,977
Net Change in Conference Draft	\$651,066,521	\$668,154,413	\$60,803,094	\$39,271,576
Total Appropriation	\$19,581,446,466	\$11,291,286,097	\$18,739,398,573	\$10,429,004,553

**PART II. GENERAL FUND REVENUES AND ECONOMY**

The Council on Revenues forecasted significant net decreases in its general fund tax revenue projection for fiscal year 2023 at its January 2023 and March 2023 meetings.

The Council reduced the estimated growth in revenues from 6.5% to 5.5% in January 2023 and from 5.5% to 2.0% in March 2023. The forecasts meant a reduction in revenues by \$334 million in fiscal year 2023. The estimated reduction in revenues is primarily due to a one-time Constitutional Refund of either \$100 or \$300 per qualifying exemption for Hawaii residents.

The Council noted that lower capital gains income due to poor performance in the stock market and a cooling real estate market are likely causes of lower estimated tax payments. The Council also noted that inflation had dropped nationally and in Hawaii.

General excise tax and transient accommodation tax collections remain robust due to the recovery of tourist arrivals, renewed consumer spending, and additional tax collections due to inflation. Risks that may inhibit the economic recovery include new variants of the COVID-19 virus, inflation and an aggressive monetary policy response from the Federal Reserve, high oil and commodity prices, severe labor shortages, supply chain disruptions, sustained travel hesitancy from Asian markets due to the Pandemic, and the reduction in Federal stimulus spending. Due to the recent strength of the U.S. dollar compared to foreign currencies.

Hawaii also faces strong competition from international travel destinations, such as Europe. Tourists from Japan might be especially less likely to travel to Hawaii due to extremely weak foreign currency exchange rates for the yen to the U.S. dollar compared to pre-pandemic levels.

The new forecasts for the state general fund tax revenues for fiscal year 2023 through fiscal year 2029 are shown in the table below.

Fiscal Year	General Fund Tax Revenues	
	Amount (in Thousands of Dollars)	Growth From Previous Year
2023	\$9,546,025	2.0%
2024	\$9,927,866	4.0%
2025	\$10,275,341	3.5%
2026	\$10,634,978	3.5%
2027	\$11,007,202	3.5%
2028	\$11,392,454	3.5%
2029	\$11,791,190	3.5%

**PART III. COMMITTEE'S PRIORITIES**

Your Committee on Conference has worked diligently to create a responsible financial plan that includes a budget that continues to fund critical services and programs. The Committee on Conference's approach to balancing the budget entails considering the Council on Revenues' General Fund Forecast and creating a fiscally responsible financial plan that will infuse unprecedented appropriations to implement priorities that include those named by Governor Green. These priorities will:

- Address homelessness and the housing crisis
- Contribute more to the Emergency and Budget Reserve Fund (EBRF), or "Rainy Day Fund"
- Increase access to Early Childhood Education
- Address the backlog of deferred maintenance for State facilities
- Mitigate and adapt to Climate Change
- Increase Health and Wellness across the State.

The Conference Draft of the executive budget includes the following major adjustments:

Department of Agriculture

- Adding \$2,500,000 in FY24 for Coconut Rhinoceros Beetle control.
- Adding 2.00 permanent positions and \$255,792 in FY24 and \$228,004 in FY25 to continue Bovine Tuberculosis operations on Molokai.
- Increasing the ceiling by \$6,000,000 for federal grants for agricultural development.
- Increasing the Revolving Fund ceiling by \$600,000 in FY24 and \$350,000 in FY25 for pesticide drift monitoring.
- Adding \$5 million for Mitigation and Population Control of Feral Animals.

Department of Accounting and General Services

- Adding 7.00 permanent positions and \$907,190 in FY24 and \$994,772 in FY25 for cloud-based financial systems.
- Adding \$590,000 in FY24 for the Hawaii Information Portal system.
- Adding 2.00 permanent positions and \$185,000 for the Office of Information Practices.
- Adding \$192,696 for Office of Information Practices salary differentials.

- Adding 2.00 permanent positions and \$259,280 in FY24 and \$319,592 in FY25 for the digitization of Government records (Act 178 2022).
- Transferring \$3,342,309 to the Department of Taxation for the Tax System Modernization Project.
- Adding \$746,623 in FY24 and \$1,555,006 in FY25 for Microsoft licenses.
- Adding 13.00 permanent positions and \$1,044,400 in FY24 and \$1,040,400 in FY25 for the cloud-based financial systems in the Office of Enterprise Technology Services.
- Adding \$5,000,000 in FY24 for planning for relocation of the Kalanimoku data center.
- Adding \$17,000,000 in FY24 for insurance policy premiums.
- Adding \$2,000,000 in FY24 for Capitol Building renovations.
- Adding \$5,000,000 for agricultural warehouses.
- Adding 2.00 permanent positions and \$170,200 in FY24 and \$160,244 in FY25 for procurement (Act 176 2022).
- Adding \$1,050,000 in FY24 for proof of concept and master planning.
- Adding \$500,000 in FY24 for the relocation of the Mapunapuna Baseyard.
- Adding 1.00 temporary position and \$259,000 in FY24 and \$251,250 in FY25 for the Small Business Assistance Initiative (Act 168 2022).
- Adding \$13,500 for the procurement Past Performance Database (Act 188 2021).
- Adding 1.00 permanent position and \$107,311 in FY24 and \$115,581 in FY25 for neighbor island school R&M.
- Adding \$3,718,308 in FY24 for voter system contracts.
- Increasing the ceiling by \$700,000 in trust funds for public funding.
- Increasing the ceiling by \$1,987,142 in special funds to update the Emergency Next Generation 911 Hardware and Software.

#### Department of the Attorney General

- Adding \$409,546 in FY24 and \$426,484 in FY25 for full-year funding for 11.00 positions.
- Adding \$470,000 to the Litigation Fund.
- Adding \$365,000 in FY24 and \$94,000 in FY25 for the Grants Management System.
- Adding 7.00 Special Agents and reducing 6.50 Investigators, while adding \$396,782 in FY24 and \$364,246 in FY25 for the Special Investigations and Prosecution Division.

#### Department of Business, Economic Development, and Tourism

- Adding \$2,500,000 in FY24 for programming of professional master classes for culinary.
- Adding \$50,000 in FY24 for the Kamaaina Connect Pilot Program.
- Adding \$5,000,000 in FY24 for the Pacific Arts and Cultural Festival.
- Adding \$500,000 in FY24 for international programs and art programming.
- Adding \$64,000,000 in FY24 for convention center's roof repairs.
- Increasing the ceiling by \$30,000 in special funds for energy software.
- Adding \$94,200 in general funds and increasing the ceiling by \$166,911 in federal funds for labor research.
- Adding \$2,994,167 in FY24 and \$3,382,618 in FY25 for tourism research.
- Adding 3.00 temporary positions and \$360,000 for broadband.
- Adding \$58,704 for the administrative services officer.
- Adding 1.00 permanent position and \$90,000 for the Aerospace Development Coordinator.
- Adding \$50,000,000 for infrastructure improvements for regional economic development.
- Adding \$500,000 for statewide coastal zone management.
- Adding \$25,060 for Land Use Commission travel.
- Adding \$800,000 in FY24 for Waikiki adaptation and resilience plan phase II.
- Adding \$400,000 in FY24 for standardized vulnerability assessment.
- Adding 1.00 temporary position and \$72,901 in FY24 and \$143,152 in FY25 for the Land Use Commission.
- Adding \$2,000,000 in FY24 for east Kapolei infrastructure implementation master plan.
- Adding \$18,500,000 in FY24 for Kakaako Street upgrades.
- Adding \$47,000,000 in FY24 for Kalaeloa electrical upgrades.
- Adding \$12,125,000 in FY24 for Saratoga Avenue electrical upgrades.
- Adding \$86,000,000 in FY24 for Iwilei-Kapalama infrastructure upgrades.
- Adding \$35,000,000 in FY24 for UH West Oahu infrastructure.
- Adding 3.00 temporary positions and \$90,200 in FY24 and \$186,877 in FY25 for the Hawaii Housing Finance and Development Corporation.
- Adding \$336,684 in FY24 and \$515,543 in FY25 for HHFDC salary differentials.
- Adding \$100,000,000 in FY24 and \$180,000,000 in FY25 for a cash infusion into the Rental Housing Revolving Fund.
- Adding \$50,000,000 for a cash infusion into the Dwelling Unit Revolving Fund.
- Adding 1.00 permanent position and \$90,000 for the Agribusiness Development Corporation (Act 219 SLH 2022).
- Adding \$93,800,000 in FY24 for water and irrigation system infrastructure and land acquisition.
- Adding \$10,000,000 in FY24 for planning for the Food and Product Innovation Network.
- Adding \$832,876 in FY25 to adjust for 3-year USDOE State Energy program grant.
- Adding \$1,000,000 for FY25 for the Hawaii Defense Alliance Program.
- Adding \$100,000,000 for the Hawaii Green Infrastructure Authority.

#### Department of Budget and Finance

- Adding \$310,776 in FY24 and \$331,872 in FY25 for full-year funding for 8.00 positions.
- Adding \$200,000,000 for deferred maintenance statewide.
- Adding \$33,000,000 in both fiscal years for Broadband Federal Matching.
- Adding \$500,000,000 to the Emergency and Budget Reserve Fund in both FY24 and FY25.
- Adding \$32,347,533 in FY24 and \$63,643,240 in FY25 for Retirement Benefits.

## Department of Commerce and Consumer Affairs

- Increasing the ceiling by \$75,000 in special funds for the central services assessment.
- Increasing the ceiling by \$300,000 in special funds for the licensing database.
- Increasing the ceiling by \$7,560,000 in special funds and \$2,940,000 in general funds for the historic King Kalakaua Building's roof.
- Increasing the ceiling by \$398,569 in FY24 and \$142,821 in FY25 in special funds for fringe benefits.
- Increasing the ceiling by \$750,000 in special funds for the electric vehicle charging rebate program.
- Increasing the ceiling by \$750,000 in special funds for the hydrogen fueling rebate program.

## Department of Defense

- Adding \$1,000,000 for repairs and maintenance.
- Adding \$166,750 in general funds and \$500,250 increasing the ceiling by in federal funds for student meals at the National Guard's Youth Challenge Academy in Hilo and Kapolei.
- Adding \$125,000 in FY24 to replace the ceiling at the Youth Challenge Academy in Hilo.
- Adding 1.00 permanent Military Real Property Program Manager, and increasing the ceiling by \$62,682 in FY24, and \$121,563 in FY25 in federal funds for the National Guard.
- Adding 1.00 permanent Program Analyst, \$48,050 in FY24, and \$92,299 in FY25 in federal funds for the National Guard.
- Adding \$2,522,860 in general funds for grant matching of \$4,500,000 in federal funds in FY24 for the Hawaii Emergency Management Agency (HI-EMA) to deal with hazards.
- Increasing the ceiling by \$500,000 for HI-EMA's Hazard Mitigation Special Fund (Act 249 2022).
- Adding \$145,000 in general funds in FY24 for HI-EMA for a bucket truck to repair sirens on Oahu.
- Adding \$12,000,000 in general funds in FY24 for HI-EMA's new headquarters.

## Department of Education

- Adding \$7,000,000 for the Hawaii Keiki: Healthy and Ready to Learn initiative.
- Adding \$10,000,000 in FY24 for Worker's Compensation.
- Adding 20.00 permanent positions and \$1,474,000 for distance learning.
- Adding 13.00 permanent positions and \$643,504 for bilingual school-home assistants.
- Adding \$200,000 in FY24 and \$100,000 in FY25 for cyber security pathways.
- Adding \$2,500,000 in FY24 for Career and Technical Education teacher differentials.
- Adding \$5,000,000 in FY24 for Campbell High School athletic stadium improvements.
- Adding \$3,600,000 in FY24 for workforce development to assist special education students.
- Adding \$12,010,000 in FY24 and \$12,000,000 in FY25 for contracted skilled nursing services.
- Adding 92.00 permanent positions for applied behavior analysis (Act 205 2018).
- Adding \$898,560 for after-school care for students with disabilities.
- Adding 2.00 permanent positions and adding \$1,000,600 in FY24 and FY25 for positions to help administer Youth Suicide Awareness and Prevention protocol in complex areas and Charter Schools.
- Adding \$350,000 for Title IX training (Act 242 2022).
- Adding 1.00 permanent position and \$110,136 for school gardens (Act 258 2022).
- Adding 1.00 permanent position and \$110,136 for summer learning (Act 259 2022).
- Adding \$1,700,000 for a health referral management system.
- Adding 4.00 permanent positions and \$300,768 for the Hawaii Teachers' Standards Board.
- Adding \$4,000,000 in FY24 for nighttime security.
- Adding \$13,000,000 in FY24 for electricity.
- Adding \$207,000 in FY24 and \$179,000 in FY25 for kindergarten entry assessments (Act 46 2020).
- Adding \$170,000,000 in FY24 for teacher housing (SB941).
- Adding \$2,000,000 in FY24 and \$3,218,236 in FY25 to restore salaries for unfunded library positions.
- Adding \$100,000 for digital literacy programs (Act 232 2022).
- Increasing the ceiling by \$11,500,000 in revolving funds for after-school programs.
- Adding 3.00 permanent positions for the School Facilities Authority.
- Adding 5.00 permanent positions and \$396,192 for teacher housing positions.
- Adding 60.00 permanent positions and \$5,130,000 in FY25 for Charter School early learning (Act 257 2022).
- Adding \$30,000 in FY24 to support traditional native speakers of Hawaiian.
- Adding \$1,510,610 in FY25 for Hawaii Keiki Program.
- Adding \$660,000 for the Early Childhood Educator Stipend program (Act 210 2021).
- Adding \$15,000,000 in FY24 and \$10,000,000 in FY25 to supply ABA services to students with significant behavioral and/or social-communication deficits.
- Adding 36.00 permanent positions and \$3,949,425 in FY24 and 126.00 permanent positions and \$7,641,383 in FY25 for early learning classrooms (Act 257 2022).
- Adding \$5,000,000 for FY24 and FY25 to offer mental health services for public school students.
- Adding \$10,000,000 to replace aging equipment and address soil contamination at multiple schools.

## Office of the Governor

- Adding 6.00 permanent positions and \$894,528 for the Office of Wellness and Resilience (Act 29 2022).
- Adding 1.00 permanent position and \$130,000 for Chief Negotiator position.

## Department of Health

- Adding a total of \$152,476,000 in both fiscal years to Hawaii Health Systems Corporation – Regions for operating subsidy.
- Adding \$22,000,000 in FY24 for Maui Health System's operating subsidy.

- Adding a total of \$20,189,000 in FY24 and \$23,372,000 in FY25 for Hawaii Health Systems Corporation – Oahu Regional Health Care System’s operating subsidy.
- Adding 121.00 permanent FTE positions and \$3,349,728 in FY24 and \$6,699,456 in FY25 for Psychiatric Technicians, Advanced Practice Registered Nurses, and Security Guards at the Hawaii State Hospital.
- Adding \$15,700,000 in FY24 and \$20,400,000 in FY25 for the Medicaid Home and Community-Based Service Waiver for individuals with intellectual and developmental disabilities.
- Funding \$230,508 in FY24, and \$239,412 in FY25 for 3.00 Food Safety Specialists and 1.00 Secretary in the Food and Drug Branch.
- Adding \$47,630,145 in FY24 and \$43,629,646 in FY25 for Emergency Medical Services across the State.
- Adding \$1,600,000 in both fiscal years for emergency medical services on the island of Molokai.
- Adding 2.00 permanent positions and \$73,644 in FY24 and \$153,156 in FY25 for 1.00 Environmental Management Program Manager, and 1.00 Secretary II for the Environmental Planning Office.
- Adding 4.00 permanent positions, \$263,604 in FY24, and \$273,804 in FY25 for 2.00 Public Health Supervisors, 1.00 Public Health Educator, and 1.00 Secretary in the Hawaii District Health Office.
- Adding 4.00 permanent positions, \$249,564 in FY24, and \$259,086 in FY25 for 2.00 Public Health Supervisors, 1.00 Public Health Educator, and 1.00 Office Assistant in the Maui District Health Office.
- Adding 3.00 permanent positions, \$181,008 in FY24, and \$188,052 in FY25 for 1.00 Public Health Supervisor, 1.00 Public Health Educator, and 1.00 Office Assistant in the Kauai District Health Office.
- Adding 4.00 permanent positions, \$114,354 in FY24, and \$237,456 in FY25 for 3.00 Epidemiological Specialists and 1.00 Statistics Clerk in the Hawaii District Health Office.
- Adding 3.00 permanent positions, \$95,190 in FY24, and \$197,208 in FY25 for 3.00 Epidemiological Specialists in the Maui District Health Office.
- Adding 3.00 permanent positions, \$95,190 in FY24, and \$197,208 in FY25 for 3.00 Epidemiological Specialists in the Kauai District Health Office.
- Adding \$10,000,000 in FY24 and \$20,000,000 in FY25 for the Hawaii State Loan Repayment Program for Healthcare Professionals.

#### Department of Human Resources Development

- Adding \$4,305,000 in FY24 and \$5,225,000 in FY25 for Worker’s Compensation claims.
- Adding 1.00 position and \$108,521 for Workforce Attraction, Selection, Classification, and Effectiveness.
- Adding \$250,000 in FY24 for IT and computer equipment.
- Adding 2.00 positions and \$3,000,000 in FY24 for tech support & infrastructure.

#### Department of Human Services

- Adding \$6,000,000 in FY24 for the State Rent Supplement Program.
- Adding \$1,550,000 in both fiscal years for Family Assessment Centers.
- Adding \$3,750,000 in both fiscal years for the Housing First Program.
- Adding \$3,750,000 in both fiscal years for the Rapid Re-Housing Program.
- Adding \$1,750,000 in both fiscal years for Homeless Outreach Services.
- Adding \$345,000 in FY24 and \$250,000 in FY25 for the Homeless Services Database.
- Adding \$500,000 in FY24 for IT modifications for an expanded Preschool Open Doors Program.
- Adding \$38,800,000 in FY25 for the expansion of Preschool Open Doors Programs to include 3-year-olds.
- Adding \$5,636,953 in general funds and increasing the ceiling by \$7,191,798 in federal funds in both fiscal years for nursing facilities.
- Adding \$3,387,000 in FY24 and \$4,516,000 in FY25 for the Child Wellness Incentive Pilot Program (Act 127 2022).
- Adding \$4,259,461 in FY24 and \$2,450,000 in FY25 for an increase of Child Protective Service contracts.
- Adding \$500,000 in both fiscal years for foster board payments.
- Adding \$30,000,000 in general funds in both fiscal years and increasing the ceiling by \$42,833,212 in federal funds in FY24 and \$43,393,822 in federal funds in FY25 for reimbursements to professional service providers.
- Adding \$400,000 in both fiscal years for Sex Trafficking Victims Support.
- Adding 8.00 permanent positions and \$1,000,000 in FY24 and \$920,000 in FY25 for the Office on Homelessness and Housing Solutions (Act 252 2022).
- Adding \$15,000,000 in FY24 for the Ohana Zones Pilot Program.
- Adding \$15,000,000 in FY24 and \$33,000,000 in FY25 for Kauhale Projects across the State.
- Adding \$1,552,000 in general funds and increasing the ceiling by \$9,532,000 in federal funds in both fiscal years for the First-To-Work Housing Assistance.
- Adding \$605,000 in both fiscal years for the Family Resource Center Network.

#### Department of Labor and Industrial Relations

- Increasing the ceiling by \$364,226 in federal funds for Office of Community Services.
- Adding 1.00 permanent position and \$1 million for the Immigrant Resource Center.
- Adding 3.00 temporary positions and \$1.2 million in FY24 and \$259,064 in FY25 for the new retirement savings board.
- Adding \$36,000,000 in FY24 for the unemployment insurance modernization project.
- \$5,000,000 in FY24 to reimburse overpayments for the Federal Emergency Management Agency (FEMA).

#### Department of Land and Natural Resources

- Adding \$100,000 in general funds in FY24 for Kawehewehe Waikiki Boardwalk.
- Increasing the ceiling by \$1,500,000 in special funds for the Land Conservation Fund for land acquisition.
- Increasing the ceiling by \$750,000 in special funds for the conveyances and records digitization project.
- Adding \$30,000 for DLNR’s engineering division.

- Adding \$200,000 in general funds in FY24 and FY25 for soil and water conservation districts.
- Adding \$25,000,000 in general funds in FY24 for Forestry Resource Management and Development for operating costs and renovations.
- Adding \$14,790,000 in general funds in FY24 for the Ecosystem Protection and Restoration resources.
- Adding \$1,500,000 for the Hawaii Invasive Species Council.
- Adding 4.00 permanent positions and \$117,210 in FY24 and \$234,393 in FY25 for Navy's Red Hill Contamination.
- Adding 2.00 permanent positions and \$58,596 in FY24 and \$117,192 in FY25 for water resources and permitting.
- Adding 4.00 permanent positions and \$4,684,997 in FY24 and 29.00 permanent positions and \$4,372,099 in FY25 for the enforcement of environmental conservation and protection.
- Adding \$6,100,000 in general funds in FY24 and FY25 for Maui Axis Deer Program.
- Increasing the ceiling by \$3,849,034 in special funds for repairs and maintenance for the Division of Boating and Ocean Recreation.
- Adding 1.00 permanent position and \$28,856 in FY24 and \$57,712 in FY25 for DOBOR administrative support.
- Adding \$50,000,000 in general funds in FY24 for Parks Administration and Operations for renovations and improvements.
- Adding \$2,000,000 for trail maintenance and restoration.
- Increasing the ceiling by \$10,000,000 in FY24 and \$8,000,000 in FY25 in special funds for State parks repairs and maintenance.
- Adding \$1,000,000 for the carbon smart land management assistance pilot program (SB419).
- Adding 1.00 temporary position and \$83,064 to coordinate merchandising strategies.
- Adding \$400,000 for the Kahoolawe Island Reserve Commission.
- Adding 6.00 temporary positions and \$14,000,000 for the Mauna Kea Stewardship and Oversight Authority (Act 255 2022).

#### Department of Law Enforcement

- Adding 1.00 Program Specialist and 10.00 Deputy Sheriffs (including 4.00 for Executive Protection), \$1,190,694 in FY24, and \$1,136,610 in FY25.
- Adding 4.00 Deputy Sheriffs, and \$176,748 in FY24, and \$289,584 in FY25.
- Adding \$152,420 for drug monitoring for narcotics enforcement.
- Adding \$312,120 in FY24 and \$270,000 in FY25 for body-worn cameras.
- Adding \$36,000 for the live scan system for identification.
- Adding \$37,500 for ballistic protective vests.
- Adding 8.00 training positions, \$435,001 in FY24, and \$733,435 in FY25.
- Adding \$45,000,000 in FY24 for the IT software project.
- Adding \$2,015,383 in FY24 for full-year funding of 50.00 positions.
- Adding 5.00 Investigators, \$304,722 in FY24, and \$500,678 in FY25 for the Office of Homeland Security.
- Adding 1.00 Cybersecurity, Economic, Education, and Infrastructure Security Coordinator, with \$78,993 in FY24, and \$157,986 in FY25 for the Office of Homeland Security.
- Adding \$5,000,000 in FY24 for a new training center.
- Adding \$5,603,750 in FY24 and \$4,802,857 in FY25 in inter-departmental transfers for the State and Local Cybersecurity Grant Program.

#### Office of the Lieutenant Governor

- Adding 3.00 permanent positions and \$520,000 for policy areas.
- Adding 2.00 permanent positions and \$187,608 to support the office's statutory responsibilities.
- Adding \$528,505 in FY24 and \$540,505 in FY25 for other current expenses.

#### Department of Public Safety

- Adding \$1,302,141 for full-year funding to support new housing at the Hawaii Community Correctional Center.
- Adding \$1,103,018 in FY25 for 6-month funding to support new housing at the Maui Community Correctional Center.
- Adding \$4,513,782 in FY25 for full-year funding to support new housing at the Women's Community Correctional Center.
- Trading off \$450,432 to restore 8.00 Substance Abuse Specialists.
- Adding \$450,000 in FY24 and \$500,000 in FY25 to purchase more local agricultural products for food (Act 144 2022).
- Adding \$970,176 for 24-hour health care at facilities on neighbor islands and Oahu.
- Adding 4.00 nurses, \$286,645 in FY24, and \$525,969 in FY25 for the new Infection Prevention and Control Unit.
- Adding 1.00 Dentist Manager and \$144,415 in FY24, and \$276,999 in FY25.
- Adding 8.00 permanent positions, \$381,826 in FY24, and \$669,012 in FY25 for Internal Affairs, and Training and Staff Development Offices.
- Adding \$2,000,000 to expand the community work furlough program from Oahu to statewide.
- Adding \$521,899 in FY24 for utility shortfalls at the Halawa Correctional Facility, Waiawa Correctional Facility, and Oahu Community Correctional Center.
- Adding \$3,000,000 in FY24 and \$2,000,000 in FY25 to relocate the Kauai Community Correctional Center due to climate change.

#### Department of Taxation

- Adding 2.00 permanent positions and \$160,368 in FY24 and \$166,128 in FY25 to fund newly established positions in the Oahu Field Audit Branch.
- Adding \$8,016,617 in FY24 and over \$3,855,721 million in FY25 to fund the Tax System Modernization Project.
- Adding 5.00 permanent positions and \$544,028 in FY24 and \$567,171 in FY25 to fund newly established positions for the Taxation Board of Review.

#### Department of Transportation

- Increasing ceiling by \$56,726,547 in FY24 and \$61,722,000 in FY25 in special funds for Airports Special Maintenance Statewide.
- Increasing ceiling by \$21,220,500 million in FY24 and \$22,281,525 in FY25 in special funds to increase CONRAC tram and shuttle service management and operational expenses.

- Increasing ceiling by \$22,800,000 in FY24 & FY25 in special funds for Engineering and Architectural Services
- Increasing ceiling by \$1,190,000 million in FY24 and \$1,638,000 million in FY25 in special funds to increase funding for routine maintenance and repairs.
- Increasing ceiling by \$30,625,000 million in FY24 and \$33,625,000 in FY25 for Harbors Administration.
- Increasing ceiling by \$2,737,000 in special funds for Highway’s traffic control on Oahu.
- Increasing ceiling by \$50,000,000 in FY24 and \$40,000,000 in FY25 in special funds for Highways Special Maintenance Program.
- Increasing ceiling by \$1,375,000 in special funds for the Highways Google Safety Analytics Program.

University of Hawaii

- Adding \$17,526,848 in FY24 to restore reductions from COVID.
- Adding \$3,200,000 in FY24 for UH Manoa women’s athletics.
- Adding \$85,000 for the Hawaii Institute of Marine Biology.
- Adding 7.00 permanent positions and \$228,500 in FY24 and \$457,000 in FY25 for the Thompson School of Social Work and Public Health.
- Adding 10.00 permanent positions and \$1,900,000 for Space Science and Engineering.
- Increasing the ceiling by \$205,000 in special funds for the Physician Workforce Assessment Special Fund (Act 151 2021).
- Adding \$400,000 in FY24 for UH Hilo athletics.
- Adding 3.00 permanent positions and \$98,500 in FY24 and \$200,250 in FY25 for Maui College’s health center.
- Adding \$3,700,000 in FY24 to continue the Promise Program for Community Colleges.
- Adding 31.00 permanent positions and \$693,780 in FY24 and \$1,456,938 in FY25 for Community College Security Officers.
- Adding \$578,240 for non-credit workforce development.
- Adding 2.00 permanent positions and \$84,167 in FY24 and \$174,750 in FY25 for the early college program.

**PART IV. CAPITAL IMPROVEMENTS PROGRAM BUDGET**

Your Committee on Conference finds an opportunity to invest in the State’s infrastructure while remaining fiscally prudent.

Your Committee on Conference has amended this budget to appropriate the following in capital improvement funds:

	Fiscal Year 2023-2024		Fiscal Year 2024-2025	
	All Funds	General Funds	All Funds	General Funds
Total Appropriation	\$2,933,046,000	\$384,265,000	\$1,354,190,000	\$254,877,000

The projects funded are for critical infrastructure throughout the State. The Conference Draft invests a substantial amount in projects improving public school and university facilities, highways and bridges, airports, harbors, state office facilities, critical agricultural infrastructure including irrigation systems, environmental protection, and public safety infrastructure throughout the State.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 300, 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. 300, H.D. 1, S.D. 1, C.D. 1

Signed by the Chairs on behalf of the Committee.

Senators Dela Cruz, Keith-Agaran, Aquino, DeCoite, Inouye, Kanuha, Kidani, Kim, Lee, Moriwaki, Shimabukuro, Wakai, and Fevella.

Managers on the part of the Senate.

Ayes, 13. Noes, none. Excused, none.

Representatives Yamashita, Aiu, Chun, Cochran, Garrett, Kahaloa, Kila, Kitagawa, Kobayashi, Lamosao, Morikawa, Nishimoto, Poepoe, Takenouchi, Alcos, and Ward.

Managers on the part of the House.

Ayes, 16. Noes, none. Excused, none.

**Conf. Com. Rep. 191 on H.B. No. 33**

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. 33, 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. 33, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Representatives Yamashita, Nishimoto, and Alcos.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 192 on H.B. No. 28**

The purpose of this measure is to provide a vehicle for statutory provisions and appropriations that may be necessary to include in the General Appropriations Act of 2023.

Your Committee on Conference has amended this measure by:

- (1) Appropriating funds to the Department of Taxation to upgrade software and computer systems;
- (2) Requiring the Department of Business, Economic Development, and Tourism to work with the University of Hawaii on workforce development activities that support the development of the Hawaii Pacific Hydrogen Hub;
- (3) Appropriating funds to the Department of Business, Economic Development, and Tourism for the Hawaii Pacific Hydrogen Hub;
- (4) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (5) Changing the effective date to July 1, 2023; 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. 28, 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. 28, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 193 on H.B. No. 1018**

The purpose of this measure is to:

- (1) Reduce the potential for federal maintenance of effort enforcement actions against the State by delaying the encumbrance and expenditure of various large general fund appropriations made in the 2022 legislative regular session until or beyond July 1, 2023, so they are no longer part of the fiscal year 2022-2023 maintenance of effort calculation; and
- (2) Appropriate funds to establish one temporary federal funds advisor position and two temporary senior special assistant positions.

Your Committee on Conference has amended this measure by:

- (1) Removing the appropriation that established one temporary federal funds advisor position and two temporary senior special assistant positions;
- (2) Restoring the amounts for certain appropriations that were made in Acts 115, 236, 248, and 296, Session Laws of Hawaii 2022; and
- (3) Changing the effective date to June 29, 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. 1018, 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. 1018, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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



**Conf. Com. Rep. 194 on H.B. No. 1020**

The purpose of this measure is to increase the amount of funds that can be carried over on June 30 of each fiscal year in the Unclaimed Property Trust Fund.

Your Committee on Conference has amended this measure by:

- (1) Changing the amount of funds that can be carried over at June 30 of each fiscal year to \$3,000,000;
- (2) Making it take effect on June 29, 2023; 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. 1020, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1020, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keith-Agaran, Kanuha, and Fevella.

Managers on the part of the Senate.

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

Representatives Yamashita, Chun, Kitagawa, and Ward.

Managers on the part of the House.

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

**Conf. Com. Rep. 195 on H.B. No. 1022**

The purpose of this measure is to appropriate funds to various programs to cover anticipated operating shortfalls due to the limited ability of a department to transfer funds between programs of that department.

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. 1022, 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. 1022, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Dela Cruz, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

Representatives Yamashita, Kitagawa, and Ward.

Managers on the part of the House.

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

**Conf. Com. Rep. 196 on S.B. No. 975**

The purpose of this measure is to:

- (1) Establish the offense of unlawful shipment of tobacco products;
- (2) Include electronic smoking devices and e-liquids under the definition of “tobacco products” for purposes of the Cigarette Tax and Tobacco Tax Law;
- (3) Amend the license and permit fees for wholesalers, dealers, and retailers;
- (4) Beginning January 1, 2024, impose an excise tax on each electronic smoking device or e-liquid sold, used, or possessed by a wholesaler or dealer;
- (5) Repeal the Electronic Smoking Device Retailer Registration Unit under the Department of the Attorney General; and
- (6) Repeal provisions in the Hawaii Revised Statutes governing delivery sales of electronic smoking devices.

Your Committee on Conference finds that tobacco use is the single most preventable cause of disease, disability, and death in the United States. Your Committee on Conference further finds that the use of electronic smoking devices and e-liquids has grown rapidly, particularly in Hawaii, which has led to a youth vaping epidemic. This measure will provide additional layers of protection against the rapid growth of the use of electronic smoking devices, including financial disincentives to purchase these products, for consumers in the State, especially for youth and young adults.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the definition of “electronic smoking device”;
- (2) Inserting a tobacco license fee of \$250;
- (3) Inserting a retail tobacco permit fee of \$50;
- (4) Inserting an excise tax of seventy percent of the wholesale price of each electronic smoking device or e—liquid sold, used, or possessed by a wholesaler or dealer on and after January 1, 2024;

- (5) Clarifying that this measure does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date;
- (6) Inserting an effective date of July 1, 2023; 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. 975, 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. 975, S.D. 2, H.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Keohokalole, Aquino, Rhoads, and Shimabukuro.

Managers on the part of the Senate.

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

Representatives Belatti, Tarnas, Yamashita, La Chica, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 197 on S.B. No. 239**

The purpose of this measure is to:

- (1) Require the Department of Human Services to establish a Child Care Accreditation Program to assist licensed and registered child care providers obtain accreditation;
- (2) Authorize the use of the Child Care Grant Program Special Fund for Child Care Accreditation Program grants;
- (3) Extend the deadlines by which existing Preschool Open Doors Program service providers are required to commence the accreditation process and obtain accreditation, and includes the Hawaii Association of Independent Schools to the list of accrediting organizations;
- (4) Appropriate funds for the Child Care Accreditation Program, including funds to establish an unspecified number of positions for the program; and
- (5) Appropriate funds into and out of the Child Care Grant Special Fund for Child Care Accreditation Program grants.

Your Committee on Conference finds that the Preschool Open Doors Program is the State's school readiness program that serves low- to moderate-income families whose children will be eligible for kindergarten in the following school year. To ensure that children participating in the program are receiving certain levels of care, existing law requires program service providers who have not obtained accreditation from a national early learning accrediting organization by July 1, 2022, to commence the accreditation process no later than July 1, 2024, and be accredited by July 1, 2029. However, the effects of the coronavirus disease 2019 pandemic have delayed this process for many child care providers. This measure will provide the additional time and funds needed for child care providers to obtain the necessary accreditation.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Requiring each child care provider who receives grant funds from the Department of Human Services to obtain accreditation and continue to provide child care for three years after receiving accreditation;
- (3) Extending the deadline by which existing unaccredited Preschool Open Doors Program must commence the accreditation process to July 1, 2029, and the deadline by which they must obtain accreditation to July 1, 2034;
- (4) Deleting language that would have included the Hawaii Association of Independent Schools to the list of national early learning accrediting organization from which accreditation can be obtained;
- (5) Appropriating \$2,102,100 for fiscal year 2023-2024 for the Child Care Accreditation Program, including the establishment of one full-time equivalent (1.0 FTE) permanent position;
- (6) Deleting language that would have appropriated funds into and out of the Child Care Grant Special Fund for Child Care Accreditation Program grants;
- (7) Amending section 2 to clarify its purpose;
- (8) Inserting an effective date of July 1, 2023; 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. 239, 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. 239, S.D. 2, H.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Kidani, and Aquino.

Managers on the part of the Senate.

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

Representatives Mizuno, Nakashima, Kitagawa, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 198 on S.B. No. 833**

The purpose of this measure is to:

- (1) Require the Office of the Governor to negotiate the State's fee simple acquisition of the Wahiawa Irrigation System on the island of Oahu;
- (2) Authorize and appropriate funds for the Department of Agriculture, Agribusiness Development Corporation, and Department of Land and Natural Resources to purchase, repair, and maintain the Wahiawa Irrigation System and the associated spillway; and
- (3) Appropriate funds for positions in the Department of Land and Natural Resources.

Your Committee on Conference finds that the Wahiawa Irrigation System is a vital piece of agricultural infrastructure that supplies water to farmers in Wahiawa, Waialua, and Haleiwa. Your Committee on Conference further finds that the listing for sale of the Wahiawa Irrigation System by Dole Food Company, Inc., warrants the State to take steps to acquire this essential irrigation system in the interest of the public. Therefore, this measure provides the necessary funding for the State to acquire, repair, manage, and maintain the Wahiawa Irrigation System and the associated spillway.

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

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Requiring that all users of water associated with the Wahiawa Irrigation System pay such rates sufficient to operate and maintain the irrigation system as prescribed by the Agribusiness Development Corporation;
- (3) Allowing the State to exercise eminent domain to acquire the Wahiawa dam and the spillway and ditch system associated with the Wahiawa Irrigation System, including all parcels in this measure, if negotiations for the acquisition of the property are unsuccessful;
- (4) Inserting an appropriation in the amount of \$5,000,000 for the Department of Agriculture to acquire a fee simple interest in the spillway associated with the Wahiawa Irrigation System; provided that if negotiations for the acquisition are unsuccessful, the appropriation shall be used for an eminent domain action to acquire the property and for associated costs;
- (5) Inserting an appropriation in the amount of \$21,000,000 for the Department of Agriculture to repair and expand the spillway associated with the Wahiawa Irrigation System and to bring the spillway into compliance with all relevant dam safety requirements, contingent upon the State's acquisition of the property;
- (6) Deleting the unspecified appropriation for the Agribusiness Development Corporation to manage and maintain its acquired portion of the Wahiawa Irrigation System and the spillway and dam acquired by the Department of Agriculture;
- (7) Deleting the unspecified appropriation for the Department of Land and Natural Resources to manage and maintain its acquired portion of the Wahiawa Irrigation System and for the establishment of an unspecified number of full-time equivalent (FTE) positions;
- (8) Inserting language that provides for the repeal of the Act effective July 1, 2026, as a condition subsequent to the State's failure to file or record the transfers of all the properties authorized to be acquired by this measure with the Bureau of Conveyances by June 30, 2026;
- (9) Inserting a lapse provision for moneys unexpended or encumbered on June 30, 2026; provided that the State successfully files and records the transfers of all the properties authorized to be acquired by this measure with the Bureau of Conveyances by June 30, 2026;
- (10) Inserting an effective date of July 1, 2023; 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. 833, 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. 833, S.D. 2, H.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Gabbard, Keith-Agaran, and Elefante.

Managers on the part of the Senate.

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

Representatives Ichiyama, Tarnas, Yamashita, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 199 on S.B. No. 318**

The purpose of this measure is to:

- (1) Require the Department of Health to establish and administer a three-year pilot program to implement a co-management system of care for the diagnosis and treatment of individuals with fetal alcohol spectrum disorders; and
- (2) Appropriate funds for the pilot program and an annual public awareness campaign on preventing fetal alcohol spectrum disorder.

Your Committee on Conference finds that individuals who are prenatally exposed to alcohol may develop lifelong physical, developmental, behavioral, and intellectual conditions, which are diagnosed as fetal alcohol spectrum disorders (FASDs). While individuals with FASDs share many of the same behavioral characteristics and related mental health diagnoses as those with autism spectrum disorders, individuals with FASDs face unique challenges. This measure establishes a pilot program to determine the feasibility of implementing a co-management system of care to support individuals with FASDs.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Appropriating \$450,000 for fiscal year 2023-2024 for the establishment and administration of a three-year pilot program to implement a co-management system of care for the diagnosis and treatment of individuals with FASDs;
- (3) Appropriating \$35,000 for fiscal year 2023-2024 for the establishment of an annual public awareness campaign on preventing FASDs;
- (4) Inserting an effective date of July 1, 2023; 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. 318, 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. 318, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Moriwaki, and Aquino.

Managers on the part of the Senate.

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

Representatives Belatti, Takenouchi, Mizuno, and Garcia.

Managers on the part of the House.

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

**Conf. Com. Rep. 200 on S.B. No. 435**

The purpose of this measure is to:

- (1) Order the person or firm found to be in violation of the state law governing wages and hours of employees on public works to be jointly and severally liable for the penalty, with the penalty increasing for repeat violations;
- (2) Require each notice of violation to contain the names of the person and firm;
- (3) Define a "person" for purposes of violations of the state law governing wages and hours of employees on public works, and related penalties and suspension; and
- (4) Require the Director of Labor and Industrial Relations to suspend the person and firm under specified conditions.

Your Committee on Conference finds that this measure is intended to prevent persons and firms that violate chapter 104, Hawaii Revised Statutes (HRS), relating to the prevailing wage and hours of employees for public work projects, from circumventing the three-year suspension from work provision of the chapter by transferring key personnel to a separate company and continuing business under a new name. Your Committee on Conference notes that this measure is not meant to cause unintended consequences to persons who are connected to the firm but are not responsible for the violations of chapter 104, HRS.

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

- (1) Inserting a definition of "firm", which includes a corporation, limited liability company, partnership, and limited partnership;
- (2) Removing subordinate responsible managing employees from the definition of "person"; 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. 435, 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. 435, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Rhoads, and Fevella.

Managers on the part of the Senate.

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

Representatives Matayoshi, Tarnas, Garrett, and Alcos.

Managers on the part of the House.

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

**Conf. Com. Rep. 201 on S.B. No. 1277**

The purpose of this measure is to make appropriations and approve payments for claims against the State, its officers, and its employees.

Your Committee on Conference finds that this measure serves as a vehicle by which payments of claims against the State are authorized and funded and that timely passage of this measure will minimize the State's obligation to pay interest that accrues on the claim amounts.

Your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Adding the judgment or settlement of five additional miscellaneous claims against the State;
- (3) Adding two judgments against the Department of Public Safety;
- (4) Inserting program identification numbers for each of the affected departments;
- (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. 1277, 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. 1277, S.D. 2, H.D. 2, C.D. 1.

Signed by the Senate President and Chairs on behalf of the Committee.

Senators Rhoads, Inouye, and Awa.

Managers on the part of the Senate.

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

Representatives Tarnas, Nishimoto, Takayama, and Souza.

Managers on the part of the House.

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

**Conf. Com. Rep. 202 on H.B. No. 382**

The purpose of this measure is to appropriate funds for the operating and capital improvement costs of the Judiciary for the fiscal biennium beginning on July 1, 2023, and ending on June 30, 2025.

Your Committee on Conference has amended this measure by:

- (1) Inserting appropriate operating and capital improvement amounts for fiscal biennium 2023-2025; and
- (2) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes.

Specifically, this budget measure appropriates operating totals of:

	FY 2023-2024	FY 2024-2025
General Funds	\$185,148,711	\$189,015,776
All Means of Financing	\$197,865,224	\$201,861,529

Additionally, this budget measure appropriates capital improvement totals of:

	FY 2023-2024	FY 2024-2025
General Funds	\$3,000,000	0
All Means of Financing	\$20,995,000	0

As affirmed by the record of votes of the managers 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. 382, H.D. 1, S.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 382, H.D. 1, S.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Dela Cruz, and Awa.

Managers on the part of the Senate.

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

Representatives Tarnas, Yamashita, Kitagawa, Takayama, and Souza.

Managers on the part of the House.

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

## STANDING COMMITTEE REPORTS

**SCRep. 1            Judiciary on S.B. No. 36**

The purpose and intent of this measure is to:

- (1) Specify that a person may be tried and sentenced for certain alleged felony offenses through the complaint and preliminary hearing process, indictment by grand jury, or by written information; and
- (2) Specify that multiple attempts to initiate a felony prosecution for the same offense, either through the same initial charging method or an alternative method, or in different forums, shall not be permitted, except in certain circumstances.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawai'i, Office of the Prosecuting Attorney of the County of Kauai, and Department of the Prosecuting Attorney of the County of Maui. 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 on September 8, 2022, the Hawaii Supreme Court issued its decision in the *State v. Obrero*, 151 Hawai'i 472, 517 P. 3d 755 (2022), construing section 801-1, Hawaii Revised Statutes, to invalidate the longstanding practice of initiating prosecution of felony cases by complaint upon a finding of probable cause after a preliminary hearing. For the last forty years, article I, section 10, of the Hawaii State Constitution has stated, in part, that "[n]o person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury or upon a finding of probable cause after a preliminary hearing held as provided by law or upon information in writing signed by a legal prosecuting officer..." (emphasis added). As a result, the Hawaii State Constitution has been interpreted to allow prosecutors to initiate a prosecution by complaint upon a judge's finding of probable cause after a preliminary hearing, by obtaining a grand jury indictment, or, if eligible, by written information pursuant to chapter 806, Hawaii Revised Statutes.

Your Committee further finds that repeated attempts at initiating prosecution of the same felony offense by presenting the same evidence to both a grand jury and judge, or returning to the same forum, is not contemplated by the Hawaii State Constitution. Whether by presenting the allegations to a different grand jury after a prior grand jury did not find sufficient evidence for an indictment, or by using both the grand jury and preliminary hearing processes after the first forum rejected the evidence, the prosecution should not have multiple opportunities to present the same evidence in hopes of achieving a different outcome. This measure allows for the initiation of felony criminal charges via preliminary hearing and prohibits multiple attempts at charging the same felony case using different methods, with exceptions.

Your Committee notes that this measure represents a months-long discussion and working draft during the interim following the issuance of the *Obrero* opinion. Feedback was solicited from many parties, including the Department of the Attorney General, the Office of the Public Defender, and the four county prosecutors to bring about the measure's language. This measure is therefore a compromise that achieves the principal goal of clarifying that felony prosecutions can be initiated by use of the preliminary hearing process.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 36 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. 2            (Majority) Judiciary on S.B. No. 19**

The purpose and intent of this measure is to guarantee the vote of eligible voters who cast their ballot and then subsequently die or otherwise become ineligible before election day.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that a person voting by mail expects their ballot to be tabulated when they place it in the mail or deposit it at a place of deposit. However, the State's vote by mail process does not have procedures for validating mail-in ballots cast by eligible voters who thereafter became ineligible, including those who became ineligible by death. This measure ensures that voters eligible to vote who cast their ballot and subsequently become ineligible to vote due to death or other reasons have their vote counted.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 19 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, 1 (Awa). Excused, none.

**SCRep. 3            Judiciary on S.B. No. 9**

The purpose and intent of this measure is to:

- (1) Require members of each Board of Registration be a registered voter in the respective county of the board to which the member is appointed and remain a registered voter in that county for their term of office; and
- (2) Establish methods for determining and verifying a board member's political party membership.

Your Committee received testimony in support of this measure from the League of Women Voters.

Your Committee finds that the Board of Registration members play an important part in maintaining the integrity of elections by reviewing and deciding appeals that arise from a voter challenge or a clerk's decision regarding voter registration. If the member resides in the county that they represent, they are more likely to be familiar with the residents of the county, county clerk operations, and political parties active in the county. This measure will help to ensure that there is transparency within the Board of Registration.

Your Committee has amended this measure by:

- (1) Specifying that if a member changes their party membership during their term of office, then the member's new party membership shall be their membership;
- (2) Clarifying that upon request by the Governor or a Senator, a member shall provide verification of party membership; and
- (3) Specifying that a member shall also provide notice that they have changed their party membership to the Governor and Senate President if they change their party membership during their term of office.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 9, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 9, 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. 4 (Majority) Judiciary on S.B. No. 31**

The purpose and intent of this measure is to increase the real property exemption amount for attachment or execution.

Your Committee received comments on this measure from the Hawaii Credit Union League, Mortgage Bankers Association of Hawaii, Hawaii Bankers Association, and Hawaii Financial Services Association.

Your Committee finds that the Legislature has not increased the real property exemption amount from attachment or execution since 1978. Since that time inflation has risen by three hundred percent. This measure will increase the exemption amount up to current valuation standards.

Your Committee has amended this measure by:

- (1) Inserting January 1, 2024, into the blank dates; 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. 31, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 31, 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 (Awa). Excused, none.

**SCRep. 5 Judiciary on S.B. No. 35**

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 Human Services, Domestic Violence Action Center, Hawai'i Health & Harm Reduction Center, Hawai'i Access to Justice Commission, Legal Aid Society of Hawai'i, Volunteer Legal Services Hawai'i, and five individuals.

Your Committee finds that legal services are often prohibitively expensive for low- and moderate- income persons. Your Committee further finds that a number of nonprofit 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 in providing legal services to those in need.

Your Committee has amended this measure by amending section 1 to delete superfluous language.

Your Committee notes that this measure is not meant to affect any other appropriation for the same purpose.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 35, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 35, 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. 6 Hawaiian Affairs on S.B. No. 16**

The purpose and intent of this measure is to require that the Hawaiian version of a law be held binding if the law in question was originally drafted in Hawaiian and then translated into English.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, and seven individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Hawaiian language (olelo Hawaii) is the native language and speech of Hawaii. Beginning in 1846, the Kingdom of Hawaii's legislature declared that all laws enacted were to be published in both Hawaiian and English. However, by 1850, English had become the language of business, diplomacy, and the government, leading to disputes between the use of languages in Hawaii's laws. In multiple court cases, the Hawaii Supreme Court upheld the supremacy of Hawaiian language as the governing law. In *Hardy v. Ruggles*, 1 Haw. 245 (1856), the Hawaii Supreme Court held that "where there is a radical and irreconcilable difference between the English and Hawaiian language, the latter must govern, because it is the language of the country." The Kingdom of Hawaii and Territory of Hawaii published all their laws both in Hawaiian and English until 1943 when the practice of publishing laws in Hawaiian was abolished by statute.

Your Committee further finds that the Hawaii State Constitutional Convention of 1978 added Hawaiian as an official language to the Hawaii State Constitution to "give full recognition and honor to the rich cultural inheritance that Hawaiians have given to all ethnic groups of this State." Article XV, section 4, of the Hawaii State Constitution provides that "English and Hawaiian shall be the official languages of Hawaii except that Hawaiian shall be required for public acts and transactions as provided by law."

Although Hawaiian was established as an official language of the State of Hawaii through this constitutional amendment and codified in section 1—13, Hawaii Revised Statutes, the authority of the Hawaiian language in government remains limited.

Your Committee further finds that this measure could impact many laws in effect today. In 1859, the Legislature passed the Civil Code of 1859 that officially codified the existing laws (except the Penal Code of 1850), which were defective due to the many scattered and separate volumes of laws that were passed and amended since the Organic Acts of 1845-1846. The Civil Code of 1859, sought to "compare the Hawaiian and English versions of the New Code" and assimilate them as far as practicable. Notably, many of the Hawaii Revised Statutes today can be linked back to the Civil Code of 1859, including chapters 1, 4, 7, 36, 92, 107, 142, 456, 478, 502, 532-533, 551, 572, 580, 601, 605, 607, 634-635, 651, 656-657, 663, and 666-667. In addition, "ke kanawai mamalahoe," or the "law of the splintered paddle," enacted in 1782 by King Kamehameha the Great to protect the weak during wartime, remains a part of the Hawaii State Constitution to this day.

Your Committee has heard the testimony of many in support of this measure. The testifiers advocate that the measure preserves the culture and authority of the Hawaiian language, which was the first official language in the islands. This measure, therefore, reinstates the parity of the Hawaiian language with English by requiring that the Hawaiian version of a law be held binding if the law in question was originally drafted in Hawaiian and then translated into English.

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. 16 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. 7 Hawaiian Affairs on S.B. No. 32**

The purpose and intent of this measure is to amend the Hawaii State Constitution to require the Reapportionment Commission to establish a reapportionment plan to be used for the election of members of the Board of Trustees of the Office of Hawaiian Affairs.

Your Committee received testimony in support of this measure from 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 the Attorney General and the Office of Hawaiian Affairs.

Your Committee finds that under existing law, members of the Board of Trustees of the Office of Hawaiian Affairs are elected during an at-large statewide election in which all registered voters are permitted to vote to elect all trustees. Your Committee further finds that due to the at-large nature of these elections, outer islands are often placed at a disadvantage to Oahu because of their smaller population bases. Your Committee further finds that at-large elections create cost burdens for outer island candidates who are forced to campaign statewide, and that the process itself can lead to voters being confused about why they are electing candidates who do not reside on their own island.

Your Committee finds that this measure, paired with a related measure S.B. No. 52, Regular Session of 2023, would address these problems by requiring the Reapportionment Commission to draw district lines for members of the Board of Trustees of the Office of Hawaiian Affairs based on the number of permanent residents in each of the four basic island units, transitioning the election for Board of Trustees from an at-large election to an election based on single-member districts, similar to the way congressional elections are held.

Your Committee notes the testimony of the Department of the Attorney General and its concern that the reapportionment of the nine-member Board of Trustees among the four basic island units may fall short of the one-person, one-vote standard established by the United States Supreme Court in *Reynolds v. Sims*, 377 U.S. 533 (1964), which held that states must make honest and good faith efforts to construct districts with equal numbers of persons as practicable. Due to the significant disparities in population among the basic island units, especially the island of Kauai, deviations from population equality may be required under this measure and may result in a violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. The Department of the Attorney General also expressed concern that the measure does not address how the current nine-member board will transition to a completely new nine-member board after reapportionment. The Office of Hawaiian Affairs opined in its testimony that a constitutional amendment is not required and that reapportionment could be accomplished by statutory amendment alone. The Office of Hawaiian Affairs also expressed concern that raising a constitutional amendment relating to the establishment of the Office of Hawaiian Affairs could lead to a slippery slope and compromise the organization's very existence.

Your Committee finds that these issues merit further consideration and requests that your Committees on Judiciary and Ways and Means further examine the concerns raised by the testifiers on this measure.



Therefore, 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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 32, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 32, 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. 8 Hawaiian Affairs on S.B. No. 52**

The purpose and intent of this measure is to:

- (1) Amend the process for electing members to the Office of Hawaiian Affairs Board of Trustees; and
- (2) Require the Reapportionment Commission to establish a reapportionment plan for the members of the Board of Trustees of the Office of Hawaiian Affairs so that they are elected according to their respective districts, rather than through an at-large statewide election for each seat.

Your Committee received testimony in support of this measure from six individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of the Attorney General and the Office of Hawaiian Affairs.

Your Committee finds that under existing law, members of the Board of Trustees of the Office of Hawaiian Affairs are elected during an at-large statewide election in which all registered voters are permitted to vote to elect all trustees. Your Committee further finds that due to the at-large nature of these elections, outer islands are often placed at a disadvantage to Oahu because of their smaller population bases. Your Committee further finds that at-large elections create cost burdens for outer island candidates who are forced to campaign statewide, and that the process itself can lead to voters being confused about why they are electing candidates who do not reside on their own island.

Your Committee finds that this measure, paired with a related measure S.B. No. 32, Regular Session of 2023, would address these problems by requiring the Reapportionment Commission to draw district lines for members of the Board of Trustees of the Office of Hawaiian Affairs based on the number of permanent residents in each of the four basic island units, transitioning the election for Board of Trustees from an at-large election to an election based on single-member districts, similar to the way congressional elections are held.

Your Committee notes the Department of the Attorney General's testimony and its concern that the reapportionment of the nine-member Board of Trustees among the four basic island units may fall short of the one-person, one-vote standard established by the United States Supreme Court in *Reynolds v. Sims*, 377 U.S. 533 (1964), which held that states must make honest and good faith efforts to construct districts with equal numbers of persons as practicable. Due to the significant disparities in population among the basic island units, especially the island of Kauai, deviations from population equality may be required under this measure and may result in a violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. The Office of Hawaiian Affairs also noted its concerns about the lack of representation for Molokai and Lanai and the cost of reapportionment.

Your Committee has amended this measure by:

- (1) Adding definitions for the terms "rural district" and "urban district";
- (2) Stipulating that five members of the Board of Trustees will be apportioned among the four basic island units and that, of the remaining four members, two shall reside in an urban district of the State and two shall reside in a rural district of the State;
- (3) Specifying that the election of the two urban and two rural district members of the Board of Trustees will be subject to an at-large vote;
- (4) Requiring that the two rural and two urban district members of the Board of Trustees be staggered, and that one urban district member and one rural member be elected every two years; 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 S.B. No. 52, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 52, 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. 9 Education on S.B. No. 106**

The purpose and intent of this measure is to authorize the Department of Health to require the Department of Education to report on coronavirus disease 2019 case counts and other related information in a manner most appropriate to public health and safety.

Your Committee received testimony in support of this measure from the Department of Education, Department of Health, and Office of Hawaiian Affairs. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that during the height of the coronavirus disease 2019 (COVID-19) pandemic, providing timely updates to students, parents, teachers, and local communities on case counts, community spread, and public health measures served as a valuable

tool to protect the State against COVID-19. To ensure the safety of Hawaii's public school children, the Department of Education published weekly reports on COVID-19 case counts and other related information on its website to inform the community. However, as the State emerges from the COVID-19 pandemic, reporting practices regarding the spread of COVID-19 have become less necessary while remaining administratively burdensome. As such, the Department of Education's reporting requirements should be modified to reflect appropriate and current public health and safety practices. This measure will allow the Department of Health to ensure the accurate reporting of data necessary for the success of COVID-19 response and recovery efforts, while balancing costly administrative burdens.

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. 106, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 106, 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. 10 (Joint) Water and Land and Commerce and Consumer Protection on S.B. No. 67**

The purpose and intent of this measure is to:

- (1) Prohibit any commercial vendor from presetting commercial beach equipment on any public beach under the jurisdiction of the Department of Land and Natural Resources, unless the customer is physically present;
- (2) Require commercial vendors to expeditiously remove commercial beach equipment after the customer has finished using it;
- (3) Allow the Department of Land and Natural Resources to grant exemptions through rules; and
- (4) Establish administrative fines for violations, pertaining only to public beaches and excluding private lands such as accreted lands.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Hawai'i Tourism Authority, and two individuals. Your Committees received comments on this measure from one individual.

Your Committees find that the Department of Land and Natural Resources has received numerous complaints about the presetting of beach umbrellas, chairs, and other beach equipment on public beach areas. While officers of the Division of Conservation and Resources Enforcement have issued many citations to offenders, courts have often dismissed them due to concessionaires stating that they were setting up equipment for customers with prior reservations. Therefore, this measure provides a clear definition for "presetting" commercial beach equipment, and will help to address the problem of vendors blocking access to public beaches. This measure strikes a much-needed balance between residents' ability to freely utilize Hawaii's beaches and the visitor industry's desire to provide amenities to their guests.

Your Committees have amended this measure by:

- (1) Increasing the administrative fine from not less than \$50 and not more than \$1,000 for each occurrence of a violation to \$5,000 for first offenses, \$10,000 for second offenses, and \$15,000 for third and subsequent offenses, to align with the Department of Land and Natural Resources' existing administrative fine 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 records of votes of the members of your Committees on Water and Land 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. 67, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 67, 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, 4. Noes, none. Excused, 1 (Chang).

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

**SCRep. 11 (Joint) Water and Land and Hawaiian Affairs on S.B. No. 75**

The purpose and intent of this measure is to appropriate funds to the Department of Land and Natural Resources to inventory historic properties and burial sites in the State, collect data on burial site locations, and conduct an archaeological surface survey.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Historic Hawai'i Foundation, and two individuals.

Your Committees find that a comprehensive and statewide inventory of historic properties and burial sites is critical for their management and protection. Further, the lack of a comprehensive inventory creates uncertainty for developers and delays project planning due to the unavailability of this key information. Your Committees further find that the State Historic Preservation Division lacks funding to fulfill its mandate to create and maintain inventories of historical properties and burial sites. Therefore, this measure will address this problem by providing funding to the Department of Land and Natural Resources to inventory historic properties and burial sites in the State, collect data on burial site locations, and conduct an archaeological surface survey.

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. 75, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 75, 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 (Chang).

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

**SCRep. 12 (Joint) Water and Land and Hawaiian Affairs on S.B. No. 100**

The purpose and intent of this measure is to:

- (1) Appropriate funds for the Kaho'olawe Island Reserve Commission; and
- (2) Fund three full-time equivalent (3.00 FTE) permanent positions for the Kaho'olawe Island Reserve Commission.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Kaho'olawe Island Reserve Commission, and twenty-one individuals.

Your Committees find that over the past nineteen years, the Kaho'olawe Island Reserve Commission has developed innovative and effective restoration projects that serve as a foundation for the future restoration of the island. In 2016, the Commission submitted a detailed financial self-sufficiency and sustainability plan to establish the necessary baseline level of funding needed to continue work on Kaho'olawe. As a result, Act 49, Session Laws of Hawaii 2017, provided general funds and authorized fifteen positions for fiscal years 2017-2018 and 2018-2019. However, these funds were only enough to support staffing, Maui-based facilities, and Maui-based operations. Thus, Act 140, Session Laws of Hawaii 2018, provided additional general funds for Kaho'olawe island safety and operations, and Act 248, Session Laws of Hawaii 2022, provided a one-time infusion of \$400,000 in general funds for Kaho'olawe island-based operations and additional cultural resource staffing.

Your Committees find that although previous funding provided critical relief for field operations after two years of fiscal austerity, additional funding is needed to ensure that Kaho'olawe's on-island operations, safety, and infrastructure are maintained, and that the island remains open for critical restoration and cultural activities. Further, the increased severity of long-term weather conditions in and around the waters surrounding Kaho'olawe and Maui require additional positions to augment the Commission's boat operations and to expand coastal erosion and shoreline protection projects on Kaho'olawe. Therefore, this measure appropriates funds for the Commission and funds three full-time equivalent (3.00 FTE) permanent positions to support the Commission's management, protection, and restoration of the cultural and historical resources of Kaho'olawe.

Your Committees have heard the testimony of the Kaho'olawe Island Reserve Commission, which requested that language be included in the measure that would fund the Commission permanently. Your Committees find that this issue raises 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.

Therefore, your Committees have amended this measure by:

- (1) Inserting blank appropriation amounts; 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 Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 100, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 100, 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 (Chang).

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

**SCRep. 13 (Joint) Water and Land and Hawaiian Affairs on S.B. No. 734**

The purpose and intent of this measure is to:

- (1) Establish an inter-division program between the State Historic Preservation Division, Land Division, Office of Conservation and Coastal Lands, Island Burial Councils, and the Office of Hawaiian Affairs that addresses the location, movement, and restoration of Hawaiian burial sites and 'iwi, exposed or likely to be exposed to coastal erosion; and
- (2) Appropriate funds.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs and two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that climate change in the form of coastal erosion due to sea level rise poses a significant threat to Hawaiian burial sites and 'iwi interred therein. Action must be taken to protect 'iwi that is exposed or likely to be exposed to coastal erosion before they are lost to the elements. Your Committees further find that these burial sites and 'iwi are of vital importance to Hawaiian culture, serving as ancestral links to the past. Therefore, this measure will create an inter-division program between the State Historic

Preservation Division, Land Division, Office of Conservation and Coastal Lands, Island Burial Councils, and the Office of Hawaiian Affairs to address the location, movement, and restoration of Hawaiian burial sites exposed or likely to be exposed to coastal erosion.

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 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. 734, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 734, 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 (Chang).

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

**SCRep. 14 (Joint) Hawaiian Affairs and Water and Land on S.B. No. 766**

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources' State Historic Preservation Division to contract its review of proposed state projects and projects affecting historic properties, to third party consultants if the projects involve the development of affordable housing and, if the Division, after an initial evaluation, determines it will not be able to complete its review within sixty days;
- (2) Establish requirements for qualified third parties providing review services; and
- (3) Authorize the Department of Land and Natural Resources to contract with or sponsor any county, housing authority, non-profit organization, or person, to meet the reasonable fee requirements of the third party consultant.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of the Mayor of the County of Hawai'i, Office of Housing and Community Development of the County of Hawai'i, NAIOP Hawaii CRE Industry Pac, Building Industry Association of Hawaii, and one individual. Your Committees received comments on this measure from the Department of Land and Natural Resources and Historic Hawai'i Foundation.

Your Committees find that under existing law, prior to the issuance of any permit or land use approval for any project that affects a historic property, state and local jurisdictions must refer the matter to the State Historic Preservation Division for review and comment, and for public projects, written concurrence is required before proceeding. However, your Committees also find that due to the current demand for the construction of affordable housing and other critical infrastructure, the State Historic Preservation Division consistently receives more reports than they have time to review, resulting in significant backlogs. Therefore, this measure helps to expedite the review process by allowing the State Historic Preservation Division to engage with third party contractors for reviews. This measure will thus enable more timely reviews and allow the State Historic Preservation Division to focus on other core priorities.

Your Committees have heard the testimony of the Department of Land and Natural Resources and Historic Hawai'i Foundation expressing concerns that a review of proposed projects by a third party could bypass important safeguards that ensure historical properties and cultural resources are identified and appropriate treatment measures are in place during planning and design work. While third party contractors may be knowledgeable on matters such as building or zoning codes, most architects and engineers do not possess specialized training to determine effects on historic properties. The Department of Land and Natural Resources also testified that third party contracting may not necessarily lead to an expedited review process, but could unintentionally add several steps due to the contracting process.

Therefore, your Committees find 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 testifiers on this measure.

Your Committees have amended this measure by:

- (1) Requiring the project proponent to pay for the reasonable fee requirements of the third party consultant;
- (2) Requiring the Department of Land and Natural Resources to publish a draft of its proposed rules on its website to allow the State Historic Preservation Division to contract with third party consultants within one year of this measure's effective date, and thereafter, require the Department to present within one year its proposed final rules to the Board of Land and Natural Resources;
- (3) Making the measure's amendments to the Hawaii Revised Statutes allowing the State Historic Preservation Division to contract with third party consultants effective on July 1, 2025; 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 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. 766, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 766, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Chang).

**SCRep. 15 Hawaiian Affairs on S.B. No. 205**

The purpose and intent of this measure is to appropriate moneys to fund the operating expenses of the Office of Hawaiian Affairs for the fiscal biennium beginning on July 1, 2023, and ending on June 30, 2025.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and one individual.

Your Committee finds that the Office of Hawaiian Affairs is a semi-autonomous state agency, established by Article XII, Section 4, Article XI, Section 5, of the Hawaii State Constitution; and Chapter 10, Hawaii Revised Statutes, that is responsible for improving the well-being of native Hawaiians and Hawaiians. This measure appropriates funds for the Office of Hawaiian Affairs' operating budget in support of plans for the upcoming biennium and is vital to fulfilling the mandates of the Office of Hawaiian Affairs.

Your Committee has amended this measure by:

- (1) Replacing the following dollar amounts with a blank amount:
  - (A) The program appropriation of \$3,000,000 in general funds and \$3,000,000 in trust funds for OHA175, beneficiary advocacy operating expenses;
  - (B) The allocation of \$500,000 in general funds and \$500,000 in trust funds for occupancy-ready housing needs of beneficiaries;
  - (C) The allocation of \$415,000 in general funds and \$415,000 in trust funds for social services;
  - (D) The allocation of \$615,000 in general funds and \$615,000 in trust funds for educational improvement programs for Native Hawaiian students;
  - (E) The allocation of \$600,000 in general funds and \$600,000 in trust funds for legal services and legal representation of beneficiaries;
  - (F) The allocation of \$500,000 in general funds and \$500,000 in trust funds for protections of aina; and
  - (G) The allocation of \$370,000 in general funds and \$370,000 in trust funds for ohana economic stability; 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. 205, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 205, 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 (Ihara).

**SCRep. 16 Government Operations on S.B. No. 296**

The purpose and intent of this measure is to establish a submission deadline for reports to the Legislature that currently do not have one.

Your Committee did not receive any testimony on this measure.

Your Committee finds that departmental and agency reporting requirements inform decision-making. Certain reports on emerging or complex issues can help with legislative proposals, ensure compliance with legislative intent, monitor activity, and assess the effectiveness of existing policies and programs. Your Committee further finds that setting a deadline for the submission of a report may help ensure that relevant information is received in a timely and predictable manner. Knowing when to expect a report and assessing departmental or agency compliance with statutory requirements can serve as a critical component of legislative oversight.

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. 296, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 296, 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. 17 Ways and Means on S.B. No. 576**

The purpose and intent of this measure is to amend the law relating to government.

Prior to the hearing on this measure, your Committee prepared and made available for public review a proposed Senate Draft 1, which amends this measure by deleting its contents and replacing it with language that:

- (1) Requires, effective July 1, 2024, that reports of out-of-state and intra-state travel by state employees, officers, or other representatives be made available for public review on the Comptroller's website; and
- (2) Appropriates moneys to the Department of Accounting and General Services to implement and manage a digital and searchable system for the public to access those travel reports.

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. 576, 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. 576, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

**SCRep. 18 Energy, Economic Development, and Tourism on S.B. No. 703**

The purpose and intent of this measure is to appropriate funds 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 Hawaii Technology Development Corporation; Chamber of Commerce Hawaii; Ai.Fish, LLC; Hawaii Fish Company, Inc.; Ocean Era, Inc.; Oceanit; Minnowtech, LLC; Hawai'i Farm Bureau; Early Charm Ventures, LLC; PacMar Technologies LLC; Hawaii Biotech, Inc.; Experiad, LLC; and one individual.

Your Committee finds that the federal Small Business Innovation Research and Small Business Technology Transfer programs award over \$4,000,000,000 each year to domestic small businesses that engage in federal research or research and development with the potential for commercialization. The Hawaii Small Business Innovation Research Program provides matching grants and support services to small businesses in the State that secure federal funds through the programs and conduct their activities within the State. Your Committee further finds that the companies that receive funding through the Hawaii Small Business Innovation Research Program provide high-wage engineering and science jobs in the State. This measure will increase the number of companies able to participate in the Hawaii Small Business Innovation Research Program, increase access to federal funds, and increase the number of high-wage jobs in the State by appropriating funds to the Hawaii Technology Development Corporation for the Hawaii Small Business Innovation Research Program.

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. 703 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. 19 Energy, Economic Development, and Tourism on S.B. No. 72**

The purpose and intent of this measure is to:

- (1) Require the Public Utilities Commission to render decisions on certain renewable projects, power purchase agreements, and cost recovery applications within one hundred eighty days of the filing of the application;
- (2) Exempt certain power purchase agreement amendments from the Public Utilities Commission's review and approval process; and
- (3) For ratemaking proceedings, require the Public Utilities Commission to complete its deliberations and issue its decision before six months from the date a public utility has filed its application for approval.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Energy and Climate Action Committee of the Environmental Caucus of the Democratic Party of Hawai'i, Climate Protectors Hawaii, and five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committee finds that continual progress and the timely approval, commencement of construction, and completion of renewable energy projects is of paramount importance to move the State closer to its one hundred percent renewable energy target as soon as possible. Despite the importance of constructing new renewable energy projects, developers currently must obtain Public Utilities Commission approval of the project and the power purchase agreement before obtaining financing or expending significant moneys to begin construction of their respective projects. Accordingly, delays in receiving approvals from the Public Utilities Commission typically results in delays to obtaining financing and the commencement of construction of the renewable energy project, which may take multiple years to develop. Your Committee believes that a procedural framework to streamline government processing and the review of proposed renewable energy projects is necessary to ensure timely progression of these important projects. This measure will more timely facilitate the approval of renewable energy projects by requiring the Public Utilities Commission to render decisions on certain renewable projects, power purchase agreements, and cost recovery applications within one hundred eighty days of the filing of the application, exempting certain power purchase agreements from the Public Utilities Commission review and approval process in certain circumstances, and for ratemaking proceedings, requiring the Public Utilities Commission to complete its deliberations and issue its decision before six months from the date a public utility has filed its application for approval.

Your Committee has amended this measure by:

- (1) Deleting language that would have automatically deemed an application approved if a decision was not made by the Public Utilities Commission within the one hundred eighty-day 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 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. 72, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 72, 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. 20 Energy, Economic Development, and Tourism on S.B. No. 706**

The purpose and intent of this measure is to:

- (1) Create and appropriate funds for the Hawaii Start-Up Business Loan Program to be administered by the Business Development and Support Division of the Department of Business, Economic Development, and Tourism, in coordination with the Hawaii Technology Development Corporation; and
- (2) Establish the Hawaii Start-Up Business Loan Program Special Fund.

Your Committee received testimony in support of this measure from the Department of Research and Development for the County of Hawaii, Chamber of Commerce Hawaii, and Right to Start. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Budget and Finance; and Hawaii Technology Development Corporation.

Your Committee finds that the coronavirus disease 2019 pandemic, supply chain issues, and inflation have hurt the State's economy and local businesses on every level, including the start-up industry. Despite this, many small businesses and entrepreneurs are ready to take the leap into starting up a business, but lack the resources to do so, as access to capital is one of the biggest barriers for start-ups. Your Committee further finds that new businesses and young companies under five years of age create the most net new jobs in the United States. Your Committee believes that providing support to local small businesses and entrepreneurs looking to begin a start-up will lead to the creation of more jobs in the State. This measure will benefit the local economy and create new jobs by establishing and appropriating funds for the Hawaii Start-Up Business Loan Program to encourage entrepreneurship and economic diversification and resilience.

Your Committee has amended this measure by:

- (1) Appropriating funds for the Hawaii Start-Up Business Loan Program Special Fund from the general revenues of the State of Hawaii instead of funds from the American Rescue Plan Act;
- (2) Inserting a blank appropriation amount for the Hawaii Start-Up Business Loan Program;
- (3) Adding a new section with a blank appropriation for one full-time equivalent (1.0 FTE) loan officer position within the Business Support Branch of the Department of Business, Economic Development, and Tourism;
- (4) Inserting an effective date of January 6, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the Senate Draft 1 of this measure contains unspecified appropriation amounts, and respectfully requests that your Committee on Ways and Means consider inserting appropriation amounts of:

- (1) \$500,000 for the Hawaii Start-Up Business Loan Program; and
- (2) \$95,000 for one full-time equivalent (1.0 FTE) loan officer position within the Business Support Branch 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 S.B. No. 706, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 706, 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. 21 Public Safety and Intergovernmental and Military Affairs on S.B. No. 210**

The purpose and intent of this measure is to establish a criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository to:

- (1) Facilitate collaborative decision-making, coordinated planning, and cooperative implementation among criminal justice agencies and relevant partners;
- (2) Support the fair, efficient, and effective operation of the criminal justice system;
- (3) Promote interoperability through the use of common elements;
- (4) Allow agencies to securely and efficiently share appropriate information; and
- (5) Support criminal justice and other purposes, including improved public safety and homeland security, while respecting the privacy of citizens.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of Law Enforcement, Department of the Prosecuting Attorney of the City and County of Honolulu, and Women's Prison Project. Your Committee received comments on this measure from the Department of the Attorney General, Legislative Reference Bureau, and Civil Beat Law Center for the Public Interest.

Your Committee finds that the State lacks a common repository for tracking data related to the criminal justice system. All state and county criminal justice agencies plan, design, procure, implement, and operate their own separate information systems. As such, data sharing consists of one-off solutions, often requiring grants and outside contractors. Your Committee believes that a statewide criminal justice information system is needed to increase efficiency, support criminal justice, and improve public safety and homeland security.

This measure will promote the fair, efficient, and effective operation of the criminal justice system by establishing a criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository.

Your Committee has amended this measure by:

- (1) Specifying that the Attorney General, or the Attorney General's designee, shall serve as chairperson of the working group;
- (2) Limiting the assistance the Legislative Reference Bureau provides to the working group to drafting assistance; 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 and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 210, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 210, 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. 22 Public Safety and Intergovernmental and Military Affairs on S.B. No. 372**

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 Office of the Prosecuting Attorney of the County of Kaua'i, Kauai Police Department, Honolulu Police Department, Hawai'i Police Department, and three 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 that aim to promote respect for, and compliance with, state and county laws. Despite this, some law enforcement officers have violated the public's trust in the criminal legal system, abused their authority, and shown a blatant disregard for the sanctity of life through the unjustified use of excessive force against members of the community. Your Committee believes that lack of accountability for police misconduct undermines the integrity of the entire criminal legal system and hinders the ability of law enforcement officers to solve and prevent crime. This measure will build confidence and increase public trust in 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 law enforcement officer to report the incident to the fellow law enforcement officer's supervisor, and requiring relevant departments to submit annual reports to the Legislature.

Your Committee has amended this measure by:

- (1) Removing language that would have required an officer to intervene if the officer reasonably believes that another is about to use unnecessary or excessive force on an arrestee;
- (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 record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 372, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 372, 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. 23 Public Safety and Intergovernmental and Military Affairs on S.B. No. 454**

The purpose and intent of this measure is to require the Hawaii Correctional System Oversight Commission to:

- (1) Review and recommend amendments to the Department of Public Safety's operating budget request and any capital improvement project appropriation requests prior to each legislative session;
- (2) Inform the Legislature if its recommendations were not accepted; and
- (3) Advise the Governor as to whether the Department of Public Safety's expenditure plan serves to fulfil the goal of the correctional system's transition to a rehabilitative and therapeutic model.

Your Committee received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Community Alliance on Prisons, and ten individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety and Hawaii Paroling Authority. Your Committee received comments on this measure from the Department of Budget and Finance.



Your Committee finds that the Hawaii Correctional System Oversight Commission was created to oversee the Department of Public Safety and facilitate its transition to a therapeutic and rehabilitative model. Your Committee believes that appropriate priority must be given to the programs, services, and strategies needed to achieve the therapeutic and rehabilitative model. This measure will allow the Hawaii Correctional System Oversight Commission to more effectively carry out its established duties and facilitate the correctional system's transition to a therapeutic and rehabilitative model by requiring the Hawaii Correctional System Oversight Commission to review and recommend amendments to the Department of Public Safety's operating budget request and any capital improvement project appropriation requests prior to each legislative session, inform the Legislature if the Commission's recommendations were not accepted, and advise the Governor as to whether the Department of Public Safety's expenditure plan serves to fulfil the goal of the correctional system's transition to a rehabilitative and therapeutic model.

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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 454, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 454, 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. 24            Public Safety and Intergovernmental and Military Affairs on S.B. No. 786**

The purpose and intent of this measure is to require government entities to seek reimbursement for the expenses arising from the search and rescue of persons who ignore posted warning signs, leave a hiking trail to 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 the Department of Law Enforcement and two individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department and one individual. Your Committee received comments on this measure from two individuals.

Your Committee finds that the coronavirus 2019 pandemic 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 areas 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) 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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 786, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 786, 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. 25            (Majority) Transportation and Culture and the Arts on S.B. No. 588**

The purpose and intent of this measure is to appropriate funds for the Department of Transportation, in conjunction with the City and County of Honolulu, to develop a pilot program to use noise detection traffic cameras to address excessive traffic noise in urban areas on the island of Oahu.

Your Committee received testimony in support of this measure from the Department of Transportation and six individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that noise pollution is a prevalent and increasing problem in the State. Excessively loud and unabated noises can result in physiological, psychological, and economic damage. Residents of the State are entitled to a healthy and peaceful environment free from noise pollution that may be hazardous to their health or welfare. Therefore, addressing noise pollution in Hawaii's communities may alleviate some issues experienced by residents.

Your Committee has amended this measure by:

- (1) Specifying that the Department of Transportation will work in conjunction with counties with a population greater than five hundred thousand persons to develop the pilot program; 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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 588, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 588, 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 (Awa). Excused, none.

**SCRep. 26      Transportation and Culture and the Arts on S.B. No. 365**

The purpose and intent of this measure is to:

- (1) Establish the offense of operating a vehicle while impaired; and
- (2) Establish fines.

Your Committee received testimony in support of this measure from the National Transportation Safety Board, Department of Transportation, Office of the Prosecuting Attorney of the County of Hawaii, Office of the Prosecuting Attorney of the County of Kauai, Hawaii Police Department, Honolulu Police Department, Hawai'i Alcohol Policy Alliance, Maui Coalition for Drug-Free Youth, East Hawai'i Drug-Free Coalition, and eighteen individuals. Your Committee received testimony in opposition to this measure from the Wine Institute and one individual. Your Committee received comments on this measure from Mothers Against Drunk Driving.

Your Committee finds that impaired driving is a significant problem in Hawaii's communities, as intoxicated driving is the leading cause of traffic fatalities and impacts the lives of innocent people. In recent years, traffic fatalities increased across the State, with intoxicants such as alcohol becoming major factors. As blood alcohol concentration levels also change the behavior of those driving after drinking, the magnitude of impairment increased with increased blood alcohol concentration. Lowering the threshold for impaired driving brings the State one step closer to making Hawaii's roads safer for all users.

Your Committee has amended this measure by:

- (1) Clarifying that impairment can be identified through alcohol concentration measured in breath;
- (2) Authorizing the Department of Transportation to implement administrative actions against any person found operating a motor vehicle while impaired;
- (3) Inserting an effective date of January 1, 2024; 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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 365, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 365, 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. 27      Transportation and Culture and the Arts on S.B. No. 346**

The purpose and intent of this measure is to make it discretionary for authorized emergency vehicles to use sirens when responding to an emergency or in other specified situations if the siren is not reasonably necessary under the circumstances.

Your Committee received testimony in support of this measure from Liliuokalani Gardens Association of Apartment Owners and three individuals.

Your Committee finds that the use of sirens by emergency vehicles can be necessary to alert other vehicles and pedestrians that an emergency vehicle is exercising its authority to disregard certain traffic laws, such as proceeding through a red light or exceeding the posted speed limit. However, there are certain emergency response sectors that have determined that there should be some flexibility to not engage the siren in certain situations such as responding at night when the streets are empty of cars and pedestrians. As unnecessary usage of sirens may contribute to noise pollution, especially in heavily-congested residential areas, providing flexibility in the use of sirens by emergency response vehicles in certain circumstances may alleviate disturbances in residential neighborhoods.

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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 346, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 346, 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. 28      (Majority) Transportation and Culture and the Arts on S.B. No. 341**

The purpose and intent of this measure is to increase the minimum required liability coverage for accidental harm and destruction of property for motor vehicle insurance policies in the State.

Your Committee received testimony in opposition to this measure from American Property Casualty Insurance Association, State Farm Mutual Automobile Insurance Company, and GEICO. Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, and Hawaii Association for Justice.

Your Committee finds that increased insurance coverage may provide some drivers with additional coverage for certain events such as accidents, bodily injury, uninsured motorists, and underinsured motorists. As driving is a privilege with the potential for causing serious injuries, raising insurance limits may adequately reflect the dangers associated with driving a car. By increasing the insurance limits for drivers across the State, all drivers in the State can be adequately protected while operating a motor vehicle.

Your Committee has amended this measure by:

- (1) Inserting a blank amount of minimum and maximum liability coverage for all damages arising out of accidental harm;

- (2) Inserting a blank amount of minimum liability coverage for all damages arising out of damage to or destruction of property; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 341, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 341, 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; Ayes with Reservations (Elefante). Noes, 2 (Inouye, Awa). Excused, none.

**SCRep. 29 (Majority) Transportation and Culture and the Arts on S.B. No. 56**

The purpose and intent of this measure is to require the use of broadband audible reverse warning systems on state and county-owned vehicles purchased on or after January 1, 2026.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that 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. Most audible reverse warning systems use a tonal sound of a single frequency; however, broadband alarms use a pulsed acoustic signal that comprises a range of frequencies, which have been found to be more effective than their tonal equivalents. Presently, the federal Occupational Safety and Health Administration requires the use of reversing alarms on construction vehicles to protect people from accidental injury and death, or alternatively the use of an observer to signal to the vehicle driver when it is safe to reverse. Transitioning to broadband reversing alarms will protect more residents from disruptive noise pollution while utilizing safer vehicular reversing practices.

Your Committee has amended this measure by:

- (1) Authorizing the Director of Transportation to provide an exemption in the event broadband sirens are unavailable;
- (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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 56, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 56, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 30 Judiciary on S.B. No. 467**

The purpose and intent of this measure is to propose an amendment to the Hawaii State Constitution to allow the Legislature to enact laws establishing limitations on moneys expended by any independent expenditure committee to influence the outcome of a state election.

Your Committee received testimony in support of this measure from Americans for Democratic Action 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 Campaign Spending Commission.

Your Committee finds that large political action committees can spend large amounts of money to effect the outcome of a state election. Your Committee further finds that due to the structure and considerable financial resources of these organizations, their spending on state elections should be limited. This measure will curb the spending of noncandidate committees that do not have contribution and expenditure limits.

Your Committee has amended this measure by:

- (1) Specifying that this measure proposes an amendment to the Hawaii State Constitution to allow the State to limit moneys expended by any noncandidate committee making only independent expenditures to influence the outcome of a state election;
- (2) Specifying that the question on the ballot be "Shall the Hawaii State Constitution be amended to allow the Legislature to enact laws establishing limitations on moneys expended by any noncandidate committee making only independent expenditures to influence the outcome of a state 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 467, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 467, 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. 31 Judiciary on S.B. No. 486**

The purpose and intent of this measure is to prohibit, in certain circumstances, the publication of the personal information of state and federal judges and other judicial staff whose duties put them at risk for acts of violence or threats.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, State of Hawaii Organization of Police Officers, and one individual.

Your Committee finds that threats and inappropriate communications to judges and court personnel continue to escalate. At the state level, the number of threats and other inappropriate communications to Hawaii judges have increased tenfold in less than a decade, from two in 2012 to approximately twenty in both 2021 and 2022. Your Committee further finds that other judiciary staff have duties that put them at risk of threats or violence. These include social workers who monitor offenders placed on probation and judiciary staff who supervise probationers convicted of violent crimes. This measure will enhance the security of judges and judiciary personnel while not diminishing civil liberties or unduly hindering governmental operations.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 486 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 (Gabbard).

**SCRep. 32 Hawaiian Affairs on S.B. No. 261**

The purpose and intent of this measure is to require the Department of Hawaiian Home Lands to provide to beneficiaries of the Hawaiian Homes Commission Act of 1920, as amended, monthly accountability reports that contain certain information on leases and fiscal matters.

Your Committee received testimony in support of this measure from the Sovereign Council of Hawaiian Homestead Associations and three individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands and Hui Kako'o 'Āina Ho'opulapula.

Your Committee finds that transparency in government is of the utmost importance. Transparency promotes accountability and provides information to citizens about what their government is doing. Your Committee further finds that the Department of Hawaiian Home Lands is a government agency established and governed by the Hawaiian Homes Commission Act of 1920, as amended. The Department of Hawaiian Home Lands serves native Hawaiian beneficiaries and manages an extensive land trust for their benefit. Therefore, this measure promotes transparency by requiring the Department of Hawaiian Home Lands to provide quarterly accountability reports to beneficiaries within fifteen days following the end of each quarter.

Your Committee also notes the testimony of Hui Kako'o 'Āina Ho'opulapula, expressing concerns that the measure would require the disclosure of land lease transactions exchanged or sold between beneficiaries, which are personal and unrelated to the Department of Hawaiian Home Lands.

Therefore, your Committee has amended this measure by:

- (1) Inserting language that narrows the required disclosure of land lease transactions to those exchanged or sold between beneficiaries and the Department of Hawaiian Home Lands; 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. 261, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 261, 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 (Ihara).

**SCRep. 33 Hawaiian Affairs on S.B. No. 278**

The purpose and intent of this measure is to require certain public buildings near mass transit projects that are on Hawaiian home lands to display portraits of Prince Jonah Kuhio Kalaniana'ole.

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 one individual.

Your Committee finds that Prince Jonah Kuhio Kalaniana'ole served a nineteen-year tenure in the United States Congress. During this tenure, Prince Kuhio Kalaniana'ole led the effort to pass the Hawaiian Homes Commission Act of 1920, as amended, under which the Department of Hawaiian Home Lands was created. Your Committee further finds that displaying a portrait in recognition of Prince Kuhio Kalaniana'ole is an appropriate way to honor his legacy as author of the Hawaiian Homes Commission Act. Therefore, this measure requires certain public buildings near mass transit projects that are on Hawaii home lands to display portraits of Prince Kuhio Kalaniana'ole.

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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 278, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 278, 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 (Ihara).

**SCRep. 34 (Majority) Hawaiian Affairs on S.B. No. 437**

The purpose and intent of this measure is to allow the Department of Hawaiian Home Lands to issue interim rules, effective for not more than eighteen months, that are exempt from the public notice, public hearing, and gubernatorial approval requirements of chapter 91, Hawaii Revised Statutes, after beneficiary consultation is conducted by the Department of Hawaiian Home Lands and upon approval by the Hawaiian Homes Commission.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands. Your Committee received testimony in opposition to this measure from the Sovereign Council of Hawaiian Homestead Associations, UNITE HERE Local 5, and five individuals. Your Committee received comments on this measure from Hui Kako'o 'Āina Ho'opulapula.

Your Committee finds that under existing law, the Department of Hawaiian Home Lands must conduct beneficiary consultations, or direct outreach to lessees, applicants, and native Hawaiians, before it can initiate any rulemaking procedures pursuant to chapter 91, Hawaii Revised Statutes. Your Committee further finds that beneficiary consultations alone are often comprehensive and sufficient to provide a foundation for the Department of Hawaiian Home Lands to address issues that arise. Your Committee finds that, while required, the lengthy nature of the rulemaking process on top of beneficiary consultation can forestall changes that require immediate response.

Therefore, this measure allows the Department of Hawaiian Home Lands to issue interim rules exempt from the public notice, public hearing, and gubernatorial approval requirements, after beneficiary consultation is conducted by the Department of Hawaiian Home Lands and upon approval by the Hawaiian Homes Commission, provided that the interim rules will be effective for not more than eighteen months.

Your Committee has heard the testimony of those in opposition to the measure, expressing concerns that exempting the Department of Hawaiian Home Lands from public notice requirements would deny native Hawaiian beneficiaries impacted by interim rules the transparency and accountability in government they deserve. Your Committee, while noting that the measure still requires beneficiary consultation before interim rules can be promulgated and that the interim rules are temporary in nature, finds that this concern has merit.

Therefore, your Committee has amended this measure by:

- (1) Reinstating the public notice requirement for interim rules pursuant to chapter 91, Hawaii Revised Statutes;
- (2) Establishing the measure's interim rule process within the Hawaiian Homes Commission Act, 1920, as amended, instead of within the Hawaii Revised Statutes;
- (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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 437, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 437, 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 (Ihara).

**SCRep. 35 Water and Land on S.B. No. 730**

The purpose and intent of this measure is to appropriate funds to support the Department of Land and Natural Resources in restoring and restocking fishponds by providing fingerlings and limu and establishing one full-time equivalent (1.0 FTE) Aquaculture Coordinator Biologist VI position.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Kua'āina Ulu 'Auamo, Hawai'i Food+ Policy, Hawai'i Alliance for Progressive Action, Maunalua Fishpond Heritage Center, Hawai'i SEED, Kauai Sea Farms LLC, and twenty-nine individuals. Your Committee received testimony in opposition to this measure from the Ka'upulehu Marine Life Advisory Committee.

Your Committee finds that traditional Hawaiian fishponds, or loko ia, are unique aquaculture systems that feed and connect communities around the islands. Loko ia are important to traditional Hawaiian cultural practices and ecological watershed health, and help to promote food security in the State. Your Committee further finds that restocking loko ia with juvenile fish will support ongoing efforts to restore loko ia and make them more sustainable. Therefore, the purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for the restoration and restocking of loko ia.

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. 730, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 730, 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. 36 Water and Land on S.B. No. 70**

The purpose and intent of this measure is to require the Department of Land and Natural Resources to pursue and obtain accreditation for the Division of Conservation and Resources Enforcement from the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA).

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that proper training and organizational support are imperative to the success of law enforcement officers. As recently as 2020, the Department of Land and Natural Resources' Division of Conservation and Resources Enforcement was required to obtain accreditation in the use of electric guns from CALEA. However, Act 183, Session Laws of Hawaii 2021, inadvertently ended that requirement when it repealed the entirety of section 134-16, Hawaii Revised Statutes. Therefore, this measure will reinstate the requirement and provide funding for the Division of Conservation and Resources Enforcement to once again obtain accreditation from CALEA.

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. 70, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 70, 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 (McKelvey).

**SCRep. 37 Public Safety and Intergovernmental and Military Affairs on S.B. No. 455**

The purpose and intent of this measure is to:

- (1) Extend the term of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission;
- (2) Specify that the Hawaii Correctional Oversight Commission shall take measures as necessary to maintain confidentiality in investigations; and
- (3) Broaden the Oversight Coordinator's power to make inquiries, obtain information, and inspect the premises of agencies and correctional facilities.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii Paroling Authority, Hawaii Correctional System Oversight Commission, Malama Makua, Community Alliance on Prisons, and eleven individuals. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that the Hawaii Correctional System Oversight Commission is critical to facilitating the correctional system's transition to a rehabilitative and therapeutic model. Despite being established in 2019 to meet this goal, funds were not released to the Commission until 2022, preventing the hiring of necessary staff and greatly impeding progress in achieving the Commission's mandate. Your Committee believes that broadening the Oversight Coordinator's powers and increasing the Oversight Coordinator's term will allow the Commission to function more productively and compensate for delays caused by a lack of funding. This measure will increase the Hawaii Correctional Oversight Commission's efficiency and allow the Commission to make substantial steps in achieving its goals by extending the term of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission, specifying that the Commission shall take measures as necessary to maintain confidentiality in investigations, and broadening the Oversight Coordinator's power to make inquiries, obtain information, and inspect the premises of agencies and correctional facilities.

Your Committee has amended this measure by:

- (1) Requiring the Oversight Coordinator be subject to the advice and consent of the Senate;
- (2) Amending the Oversight Coordinator's term to four years, beginning with oversight coordinators that are appointed after January 1, 2050;
- (3) Authorizing the Hawaii Correctional System Oversight Commission to hold meetings closed to the public for purposes relevant to conducting an investigation not otherwise authorized by section 92-5, Hawaii Revised Statutes;
- (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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 455, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 455, 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. 38 (Majority) Public Safety and Intergovernmental and Military Affairs on S.B. No. 708**

The purpose and intent of this measure is to:

- (1) Decriminalize the possession and use of fireworks;
- (2) Set fines for the possession and use of fireworks; and
- (3) Establish the Fireworks Possession Special Fund and allocate proceeds of the fund to county police departments and for climate change mitigation.

Your Committee received testimony in support of this measure from one member of the Makiki Neighborhood Board, Poi Dogs and Popoki, and ten individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Law Enforcement and one individual.

Your Committee finds that fireworks contain toxic chemicals and heavy metals that contribute to air, water, and soil pollution in the State and cause a wide variety of health concerns such as cancer, respiratory, and reproductive problems in humans and animals. Despite this, the use of illegal fireworks has only increased, with some neighborhoods experiencing fireworks on a weekly, year-round basis. Your Committee believes that additional fines for the possession and use of fireworks will reduce the use of illegal fireworks in the State. Therefore, this measure will improve the health and safety of people and animals and deter the use of illegal fireworks in the State by setting fines for the possession and use of fireworks, establishing the Fireworks Possession Special Fund, and allocating proceeds of the fund to county police departments and for climate change mitigation.

Your Committee has amended this measure by:

- (1) Removing language that would have decriminalized the possession, setting off, igniting, or discharge of aerial devices, display fireworks, or articles pyrotechnic;
- (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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 708, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 708, 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 (Elefante). Noes, 1 (Awa). Excused, none.

**SCRep. 39 Labor and Technology on S.B. No. 302**

The purpose and intent of this measure is to:

- (1) Temporarily reinstate the technology infrastructure renovation tax credit;
- (2) Define “data server”; and
- (3) Expand the definition of “technology-enabled infrastructure” to include data servers.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation and Servpac Incorporated. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the technology infrastructure renovation tax credit was enacted in 2001 to incentivize the development of high technology infrastructure and encourage the growth of high technology businesses and associated industries in the State. Your Committee recognizes that technology has advanced since the tax credit was first enacted. According to testimony from the Hawaii Technology Development Corporation, cloud software, which is powered by data servers, has become an essential part of every business and increasing the amount of technology infrastructure in the State will help to keep high-tech and innovation jobs in Hawaii.

Your Committee has amended this measure by:

- (1) Adopting language recommended by the Department of Taxation to make the technology infrastructure renovation tax credit applicable to taxable years ending on or after December 31, 2023, and beginning on or before December 31, 2025;
- (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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 302, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 302, 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 (Ihara, Keith-Agaran).

**SCRep. 40 Labor and Technology on S.B. No. 435**

The purpose and intent of this measure is to:

- (1) Impose a penalty on both the person and the firm upon the finding of violations of the state law governing wages and hours of employees on public works;
- (2) Clarify that the person liable includes a sole proprietor and the principle responsible managing employee that holds the construction license of the firm; and
- (3) Require each notice of violation to contain the names of the person and the firm.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Hawaii Operating Engineers Industry Stabilization Fund Political Action Committee. Your Committee received comments on this measure from the General Contractors Association of Hawaii.

Your Committee finds that this measure is intended to prevent persons and firms that violate chapter 104, Hawaii Revised Statutes, relating to the prevailing wage and hours of employees for public work projects, from circumventing the three-year suspension from work provision of the chapter by conducting business under a new name. According to oral testimony at the hearing, a firm may have more than one employee that holds a construction license for the firm and that these employees may be subordinate responsible managing employees of the firm. Your Committee believes all parties responsible for the proper payment of wages to employees should also be liable for any repeated violations of chapter 104, Hawaii Revised Statutes.

Accordingly, your Committee has amended this measure by:

- (1) Amending the definition of “person” to include subordinate responsible managing employees for purposes of the three-year suspension from work provision of chapter 104, 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 record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 435, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 435, 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 (Ihara, Keith-Agaran).

**SCRep. 41 Labor and Technology on S.B. No. 597**

The purpose and intent of this measure is to exclude income received from deferred compensation retirement plans from state income tax for taxpayers who meet certain income requirements.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that this measure seeks to address the fact that many seniors in Hawaii, especially those who solely rely on the income distributed from their retirement plans, are struggling to make ends meet.

Your Committee has amended this 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 597, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 597, 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 (Ihara, Keith-Agaran).

**SCRep. 42 Labor and Technology on S.B. No. 726**

The purpose and intent of this measure is to:

- (1) Repeal the Administrative Assistant position within the Department of Human Resources Development (DHRD); and
- (2) Reassign the responsibilities of the Administrative Assistant to the Director of Human Resources Development.

Your Committee received testimony in support of this measure from the Department of Human Resources Development.

Your Committee finds that this measure is a housekeeping measure. Although an Administrative Assistant position within DHRD was statutorily created through Act 57, Session Laws of Hawaii 2019, this position is currently not funded nor authorized. Your Committee recognizes that an Administrative Assistant VI position within DHRD was authorized through Act 248, Session Laws of Hawaii 2022. According to testimony received by your Committee, the Administrative Assistant VI position within DHRD has been filled as of November 1, 2022.

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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 726, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 726, 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 (Ihara, Keith-Agaran).

**SCRep. 43 (Joint/Majority) Water and Land and Agriculture and Environment on S.B. No. 77**

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 to request information, prior to the transfer of non-agricultural park lands, from the Department of Land and Natural Resources 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 qualifying 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) Continues to require the lessee to maintain a conservation plan; and
- (5) Requires approval from the Board of Land and Natural Resources and the Board of Agriculture before removing pasture lands for reforestation, or other public purposes.

Your Committees received testimony in support of this measure from the Maui County Farm Bureau; Kahuku Farms; Kapāpala Ranch; Waihunahuna Foundation; Hawaii Sustainable Beef Enterprises, LLC; Ponohele Ranch, Limited; Hawai'i Farm Bureau; Ulupono Initiative; McCandless Ranch; Hawaii Cattlemen's Council, Inc.; Larry Jeffs Farms, LLC; and eleven individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources; Hawai'i Climate Change Mitigation and Adaptation Commission; Kauai Climate Action Coalition; Maui Nui Marine Resource Council; Hawaii Environmental Change Agents Carbon Sequestration Task Force; Sierra Club of Hawai'i; Hawai'i Alliance for Progressive Action; and thirty-five individuals. Your Committees received comments on this measure from the Department of Agriculture; Office of Hawaiian Affairs; The Nature Conservancy; 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) Clarifying the purpose of this measure in its findings;
- (2) Specifying that a lease issued for transferred non-agricultural park lands shall be subject to any easement or right of entry to landlocked forest reserves;
- (3) Clarifying that the terms of the lease shall be determinative of whether activities of a lessee are unsatisfactory, rather than determined by the Department of Agriculture;
- (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 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. 77, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 77, 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, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4; Ayes with Reservations (Rhoads). Noes, 1 (Awa). Excused, none.

#### **SCRep. 44 Water and Land on S.B. No. 89**

The purpose and intent of this measure is to require the Department of Land and Natural Resources to comply with the rulemaking process of chapter 91, Hawaii Revised Statutes (HRS), when designating marine management areas.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from Kua'āina Ulu 'Auamo and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that marine management areas are specific geographic areas designated by statute or administrative rule for the purpose of managing a variety of marine, estuarine, or anchialine resources and their use. Your Committee further finds that there are three statutes that authorize the Department of Land and Natural Resources to designate marine management areas:

- (1) Section 190-3, HRS, authorizes the designation of marine life conservation districts;
- (2) Section 188-53, HRS, authorizes the designation of fishery management areas, which include fishing reserves, refuges, and public fishing areas; and
- (3) Section 188-22.6, HRS, authorizes the designation of community-based subsistence fishing areas.

Your Committee finds that while sections 190-3 and 188-22.6, HRS, expressly require the Department of Land and Natural Resources to comply with the rulemaking process under chapter 91, HRS, there is no express requirement under section 188-53, HRS. Although the Department of Land and Natural Resources has historically complied with the chapter 91, HRS, rulemaking process as to the designation of fishery management areas, there is no guarantee that compliance will continue in the future, absent a statutory requirement. Therefore, this measure serves to expressly require that the Department of Land and Natural Resources comply with chapter 91, HRS, when designating all marine management areas.

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. 89, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 89, 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. 45 Water and Land on S.B. No. 94**

The purpose and intent of this measure is to require the Department of Land and Natural Resources to approve or deny special activity permit applications for aquatic research within ninety days from the date submitted.

Your Committee received testimony in support of this measure from For the Fishes. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that under section 187A-6, Hawaii Revised Statutes, the Department of Land and Natural Resources issues special activity permits that allow a person to engage in certain aquatic resource activities, otherwise prohibited by law, for scientific, educational, management, or propagation purposes. However, your Committee finds that due to the large volume of permit requests received and the various internal and external review processes required, a permit can take anywhere from one week to over twelve months to be approved, depending on the nature and scope of the proposed activity. Therefore, this measure requires the Department of Land and Natural Resources to either approve or deny special activity permit applications for aquatic research within ninety days from the date submitted.

Your Committee has heard the testimony of the Department of Land and Natural Resources stating that there is currently only one staff member dedicated to processing special activity permits, which includes, among other duties, reviewing applications, processing annual renewals, and drafting original permit and technical guidance language and submittals to the Board of Land and Natural Resources. The Department testified that unless additional staffing was provided, this measure's ninety-day requirement would likely be unfeasible.

Therefore, your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$250,000 to allow the Department of Land and Natural Resources to hire two full-time equivalent (2.0 FTE) positions within the Division of Aquatic Resources to support the special activity permit review process; 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. 94, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 94, 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. 46 Water and Land on S.B. No. 98**

The purpose and intent of this measure is to require the Auditor to audit the Department of Land and Natural Resources' Division of Aquatic Resources' expenditures of funds received from the federal Wildlife and Sport Fish Restoration Program.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Office of the Auditor; Department of Land and Natural Resources; and Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.

Your Committee finds that government auditing is a cornerstone of good public sector governance. In 2022, the State received over \$10 million in federal money from the Wildlife and Sport Fish Restoration Program, also known as the Pittman-Robertson Dingell-Johnson/Wallop-Breaux Program. The purpose of the funds is to support sustainable fishing, hunting, and wildlife conservation in Hawaii. Your Committee finds that oversight of these funds is necessary for good governance. Therefore, this measure requires the Auditor to conduct an audit of the Department of Land and Natural Resources' Division of Aquatic Resources to determine how funds received from the Wildlife and Sport Fish Restoration Program have been expended.

Your Committee notes the testimony of the Department and Land and Natural Resources stating that they can provide their own report summarizing how Wildlife and Sport Fish Restoration Program funds were expended and your Committee appreciates the budget breakdown submitted as part of the Department's written testimony.

Therefore, your Committee has amended this measure by:

- (1) Requiring the Division of Aquatic Resources to submit an annual report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025 and each regular session thereafter;
- (2) Amending section 1 to reflect its amended purpose; 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. 98, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 98, 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. 47 Hawaiian Affairs on S.B. No. 738**

The purpose and intent of this measure is to allow the Department of Hawaiian Home Lands to:

- (1) Authorize beneficiaries, who are sixty years or older or terminally ill, to receive an undivided interest award and to designate a successor; and
- (2) Authorize any eligible heirs of beneficiaries to file successorship claims within a certain timeframe, including posthumous undivided interest awards.

Your Committee received testimony in support of this measure from Hui Kako'o 'Āina Ho'opulapula; Sovereign Council of Hawaiian Homestead Associations; Maui-Lāna'i Mokupuni Council; Pa'upena Community Development, Inc.; Malama Ka 'Aina Hana Ka 'Aina, Inc.; Ho'omana Pono, LLC; and one individual. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that according to a survey conducted by the Department of Hawaiian Home Lands in 2022, more than twenty-eight thousand native Hawaiian beneficiaries are currently on the homestead lease waiting list. The Legislature further finds that when beneficiaries on the homestead lease waiting list pass away prior to receiving a lease award, the beneficiary also loses the ability to have their heirs succeed to a lease. Therefore, this measure authorizes beneficiaries, who are sixty years or older or terminally ill, to receive an undivided interest award and to designate a successor and authorize any eligible heirs of beneficiaries to file successorship claims within a certain timeframe.

Your Committee received comments from the Department of Hawaiian Home Lands expressing concerns regarding this measure. First, the Department testified that this measure would expand the undivided interest award program beyond its current use, which is to award undivided interest leases for particular areas under development. The Department also testified that allowing a person to advance on the waiting list ahead of other applicants due to that applicant's age or medical status would contravene section 10-3-7, Hawaii Administrative Rules, which provides that "[a]pplicants shall be considered for award in the order in which their completed applications were received by the [D]epartment." Finally, the Department testified that allowing any "eligible heir" to file a claim for an undivided interest was too broad, and that the Hawaiian Homes Commission Act, 1920, as amended, authorizes leases only for native Hawaiians defined as any descendant of not less than one-half part blood of the races inhabiting the Hawaiian islands prior to 1778.

Therefore, your Committee has amended this measure by:

- (1) Authorizing the Department of Hawaiian Home Lands to administer a Lease Award Program for beneficiaries on the waiting list, rather than an undivided interest award program; and
- (2) Clarifying that any qualified successor of a beneficiary may file a claim for a lease award in place of the deceased beneficiary.

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. 738, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 738, 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 (Keohokalole, Richards). Noes, none. Excused, 1 (Ihara).

**SCRep. 48 Labor and Technology on S.B. No. 724**

The purpose and intent of this measure is to appropriate funds and authorize general obligation bonds for the enhancement of technology resources for the Department of Human Resources Development.

Your Committee received testimony in support of this measure from the Department of Human Resources Development, Transform Hawai'i Government, and one individual.

Your Committee finds that Department of Human Resources Development's network infrastructure was last updated in 1994 and that the enhancement and modernization of its technology resources is necessary for the department to address staffing shortages and administer the state human resources program more effectively and efficiently.

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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 724, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 724, 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. 49 Labor and Technology on S.B. No. 725**

The purpose and intent of this measure is to:

- (1) Require the Department of Human Resources Development (DHRD) to submit an annual report to the Legislature on the telework policies of the executive branch; and
- (2) Appropriate funds for DHRD to compile an annual report on the telework policies of the executive branch, including the establishment of one full-time equivalent (1.0 FTE) position within DHRD.

Your Committee received testimony in support of this measure from Department of Human Resources Development, Office of Planning and Sustainable Development, Transform Hawai'i Government, and two individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that as each department implements the updated telework program guidelines developed by DHRD, it is necessary to have measures and metrics in place to ensure the effective and efficient adoption of telework strategies in the executive branch. Your Committee further finds that annual data on telework adoption and usage in the executive branch will help guide future legislation, policy recommendations, and decision-making relating to teleworking in the State.

Your Committee notes the oral testimony of DHRD expressing the need for a one full-time equivalent (1.0 FTE) permanent telework coordinator position who will ensure the timely submission of the annual report to the Legislature required by this measure and who will be tasked with researching best practices and technological solutions to manage telework policy in the executive branch. Your Committee finds that this issue merits further consideration and examination by your Committee on Ways and Means, should it choose to hear this measure.

Your Committee has amended this measure by:

- (1) Adding language that requires DHRD to include in its annual report metrics on the productivity of telework employees by each department of the executive branch;
- (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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 725, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 725, 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. 50            Labor and Technology on S.B. No. 1317**

The purpose and intent of this measure is to appropriate general funds for federal broadband programs matching fund requirements.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor; Department of Budget and Finance; Department of Business, Economic Development, and Tourism; University of Hawai'i System; Hawaii Primary Care Association; and Hawaiian Telcom Services Company, Inc.

Your Committee finds that the Legislature enacted Act 231, Session Laws of Hawaii 2022, to ensure that it takes full advantage of available funds to build and maintain the broadband infrastructure necessary to sustain interconnectivity throughout the State. According to testimony received by your Committee, the State needs to demonstrate that matching funds are available to be awarded additional federal Broadband Equity, Access, and Deployment funding to improve broadband access in the State. Based on oral testimony received, your Committee further finds that the composition of the working group established pursuant to Act 231, Session Laws of Hawaii 2022, should be amended to facilitate its purpose in determining the appropriate governance structure to implement, operate, and maintain broadband infrastructure development in the State.

Accordingly, your Committee has amended this measure by:

- (1) Amending the language of Act 231, Session Laws of Hawaii 2022, to require the Office of the Lieutenant Governor to convene and chair the working group;
- (2) Amending section 1 to reflect its amended purpose;
- (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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1317, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1317, 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 (Ihara, Keith-Agaran).

**SCRep. 51            Judiciary on S.B. No. 221**

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 for the Victim Witness Assistance Program.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawai'i, and one individual.

Your Committee finds that the Victim Witness Assistance Program provides direct support services to the victims and witnesses of crimes committed in Hawaii. Your Committee further finds that the Honolulu Victim Witness Kokua Services Unit has helped over four thousand crime victims. Victims are usually the key witnesses in a case and without their testimony, criminals often could not be held responsible for their actions. Your Committee believes that increased funding is necessary to maximize the effectiveness of this important program.

Your Committee has amended this measure by:

- (1) Changing the appropriation to a grant-in-aid; and
- (2) Inserting an effective date of January 1, 3000, to encourage further discussion.

Your Committee notes that the Senate Draft 1 of this measure contains an unspecified appropriation amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$736,785.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 221, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 221, 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. 52            Judiciary on S.B. No. 222**

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 for the Career Criminal Prosecution Unit.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawai'i, Retail Merchants of Hawaii, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that a disproportionate number of serious crimes against the public are committed by a relatively small number of multiple and repeat-felony offenders, commonly known as "career criminals". Your Committee further finds that by their nature, career criminal prosecution cases are often labor intensive and require experienced and well-trained deputy prosecutors. This measure appropriates funds to staff the Career Criminal Prosecution Unit so that the prosecution of career criminals can be more effectively pursued.

Your Committee has amended this measure by:

- (1) Changing the appropriation to a grant-in-aid; and
- (2) Inserting an effective date of January 1, 3000, to encourage further discussion.

Your Committee notes that the Senate Draft 1 of this measure contains an unspecified appropriation amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$708,806.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 222, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 222, 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. 53            Judiciary on S.B. No. 167**

The purpose and intent of this measure is to:

- (1) Establish an investigator position in the Campaign Spending Commission; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and one individual.

Your Committee finds that the Campaign Spending Commission, the state agency for enforcement of the State's campaign finance laws, does not have a designated investigator position. The existing five staff members perform investigative duties, as needed. Recently, staff members have been subpoenaed to testify in contested case hearings and in a criminal proceeding regarding their roles in the investigation of those cases. This can be problematic, especially for the general counsel, who is responsible for presenting the case to the Campaign Spending Commission where the executive director is the complainant. This measure will increase the Campaign Spending Commission's staff by one investigator position, which will resolve any potential conflict.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 167 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. 54          Judiciary on S.B. No. 485**

The purpose and intent of this measure is to establish one additional judgeship in the District Court of the First Circuit.

Your Committee received testimony in support of this measure from the Judiciary, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii State Bar Association, and one individual.

Your Committee finds that at the outset of the coronavirus disease 2019 pandemic, the Judiciary quickly implemented remote hearings in order to continue providing vital services and ensuring litigants still had the opportunity to be heard. However, the District Court of the First Circuit found that remote and hybrid proceedings require additional resources and take longer than in-person proceedings. Over time, longer court sessions mean that fewer hearings can be scheduled per session. If left unaddressed, this could result in case backlogs.

Your Committee further finds that many of the cases that come before the District Court have become more complex, involving interdisciplinary issues that are reflected in the community. This measure will add an additional judge to the District Court of the First Circuit, which will provide the District Court with the ability to better manage court dockets, be more responsive to the needs of the community, increase capacity in the rural courts, and develop and expand specialized court calendars.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 485 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 (Gabbard).

**SCRep. 55          Education on S.B. No. 826**

The purpose and intent of this measure is to transfer general funds previously appropriated to the School Facilities Authority of the Department of Education to the School Facilities Special Fund.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor, School Facilities Authority, Executive Office on Early Learning, University of Hawai'i System, and Hui for Excellence in Education. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that funding early childhood education allows Hawaii's keiki to thrive and succeed in their future academic careers. However, the State is experiencing a chronic shortage of school facilities to meet the demand for pre-kindergarten programs for eligible children of the State. Therefore, your Committee further finds that, to ensure all eligible children in the State have the opportunity to attend pre-kindergarten programs, the School Facilities Authority should be adequately funded to provide more capacity in various early childhood education programs.

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. 826 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 (Kim, Fevella).

**SCRep. 56          Education on S.B. No. 7**

The purpose and intent of this measure is to make necessary amendments to clarify certain references to the School Facilities Authority used in section 302A-1151.1, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the School Facilities Authority.

Your Committee finds that, while occasional, certain statutes require clarifying amendments that are often technical but include substantive elements that should be thoroughly considered. Act 217, Session Laws of Hawaii 2021 (Act 217), replaced the terms "Department", "Board", or "Board of Education" with "School Facilities Authority" in section 302A-1151.1, Hawaii Revised Statutes. However, the amendments made by Act 217 now contain redundant and confusing references that need clarification. To ensure the substantive elements of Act 217 remain in force, this measure clarifies existing statutory language to effectuate Act 217's intended purpose.

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. 7 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 (Kim, Fevella).

**SCRep. 57          Hawaiian Affairs on S.B. No. 490**

The purpose and intent of this measure is to establish a compliance and law enforcement program within the Department of Hawaiian Home Lands to investigate complaints, conduct investigations, and cooperate with law enforcement authorities to ensure compliance with all state laws and rules and county ordinances on Hawaiian home lands.

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 Department of Law Enforcement, Department of Public Safety, Sovereign Council of Hawaiian Homestead Associations, and six individuals. Your Committee received comments on this measure from Hui Kako'o 'Aina Ho'opulapula.

Your Committee finds that illegal activity on Hawaiian home lands threatens the health and safety of homestead communities. Your Committee has heard testimony from a homestead leader and the Department of Hawaiian Home Lands expressing concerns that better coordination is needed between law enforcement agencies who routinely decline responding to illegal activities on homestead lands citing their lack of jurisdiction. Your Committee finds that establishing a law enforcement agency within the Department of Hawaiian Home Lands would be beneficial to residents and promote peace, safety, and order. Therefore, this measure appropriates funds to establish a compliance and enforcement program within the Department of Hawaiian Home Lands to investigate complaints, conduct investigations, and cooperate with enforcement authorities to ensure compliance with all state laws and rules and county ordinances on Hawaiian home lands.

Your Committee has also heard the testimony of the Department of Law Enforcement expressing concerns that this measure is contrary to the Legislature's intent expressed through Act 278, Session Laws of Hawaii 2022 (Act 278), to consolidate state law enforcement activities by establishing the Department of Law Enforcement. The Department of Law Enforcement further testified that they are the entity tasked with administering criminal law enforcement and investigations on homestead lands, and could investigate various crimes, such as gambling, drug house activities, and human trafficking. The Department of Law Enforcement further testified that they plan to hire more law enforcement officers in January of 2024, per Act 278, and that additional funding would support them in carrying out their duties on Hawaiian home lands.

Therefore, your Committee has amended this measure by:

- (1) Deleting language that would have established the compliance and enforcement program on Hawaiian home lands;
- (2) Appropriating funds to the Department of Law Enforcement to hire law enforcement officers dedicated to serving Hawaiian home lands;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Amending the effective date to July 1, 2023; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the Senate Draft 1 of this measure contains an unspecified appropriation amount and an unspecified number of full-time equivalent law enforcement officers. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$500,000 and five full-time equivalent (5.0 FTE) law enforcement officers.

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. 490, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 490, 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 (Ihara).

**SCRep. 58 (Majority) Transportation and Culture and the Arts on S.B. No. 809**

The purpose and intent of this measure is to:

- (1) Rename the Electric Bicycle and Electric Moped Rebate Program as the Electric Mobility Rebate Program;
- (2) Expand the scope of the program to include electric micro-mobility devices and an additional rebate type; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Department of Transportation, Ulupono Initiative, and PeopleForBikes Coalition.

Your Committee finds that the single greatest factor of the increasing cost of living in Hawaii is the rising cost of transportation. To address this factor, Act 306, Session Laws of Hawaii 2022, established the Electric Bicycle and Electric Moped Rebate Program, administered by the Department of Transportation, to offer eligible individuals a rebate of twenty percent or \$500 of the retail cost. However, as Hawaii's people find alternative electric-powered modes of transportation, greater accessibility to the rebate program is needed to ease cost-of-living expenses in the State.

Your Committee notes the testimony of the PeopleForBikes Coalition regarding the issuance of rebates under the Electric Mobility Rebate Program. While current provisions of the program offer a rebate to eligible individuals purchasing a micro-mobility device, according to the PeopleForBikes Coalition, low-income customers are less likely to have the funds available to purchase a micro-mobility device at full cost while waiting months for a rebate check. By providing an instant rebate to eligible individuals, there may be greater interest in the program, especially for individuals who could benefit from micro-mobility devices. Your Committee additionally notes that the Department of Transportation should consider the possibility of an instant rebate program as a component of the Electric Mobility Rebate Program.

Your Committee has amended this measure by:

- (1) Deleting language that would have defined an electric that a micro-mobility device to be designed to transport a single person;
- (2) Repealing the requirement that eligible individuals under the Electric Mobility Rebate Program cannot own a motor vehicle with four or more wheels;
- (3) Inserting language to allow for ten percent of the appropriation out of the Electric Mobility Subaccount to be used for the Department of Transportation's administration of the program; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 809, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 809, 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 (Awa). Excused, none.

**SCRep. 59 Water and Land on S.B. No. 92**

The purpose and intent of this measure is to establish a time limitation for community-based subsistence fishing area designations and allow the Department of Land and Natural Resources to consider extending a designation in the year prior to the designation's expiration unless the designation is made through statute before its expiration.

Your Committee received testimony in support of this measure from Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Hawai'i Alliance for Progressive Action; and one individual. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs; Hawai'i Wildlife Fund; Kuakini Hawaiian Civic Club of Kona; Hui 'Ohana o Honaunau; Protect Keopuka 'Ohana; Earthjustice; The Nature Conservancy; Sierra Club of Hawai'i; Kua'āina Ulu 'Auamo; Kalanihale; HULI PAC; Kauhakō Ohana Association; Destination Kona Coast; Aloha Animal Advocates, Inc.; Malama Pupukea-Waimea; Big Island Reef Keepers Hui; Hawaii Reef and Ocean Coalition; Kipahulu Ohana, Inc.; Moana Ohana LLC; Miloli'i Makai Watch; Hawaii Marine Education and Research Center; and thirty individuals. 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 a community's needs and cultural practices can change over time. To remain relevant, community-based programs, such as community-based subsistence fishing areas, must adapt accordingly. However, your Committee finds that community-based fishing area designations are permanent. Therefore, this measure establishes a time limitation on community-based subsistence fishing area designations to ensure community-based subsistence fishing areas reflect the needs of Hawai'i communities.

Your Committee notes that the Ha'ena community-based subsistence fishing area is the only fishing area currently designated by statute. Your Committee further notes that because of the Ha'ena fishing area's statutory designation, it would not be impacted by a sunset limitation and would thus contravene the intent of this measure.

Therefore, your Committee has amended this measure by:

- (1) Establishing that designations made by statute shall remain valid for not more than an unspecified number of years, to encourage further discussion;
- (2) Requiring the Department of Land and Natural Resources to submit a status report to the Legislature, Board of Land and Natural Resources, and community-based subsistence fishing area stakeholders every five years;
- (3) Repealing the statute designating the Ha'ena community-based subsistence fishing area;
- (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. 92, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 92, 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. 60 (Majority) Water and Land on S.B. No. 81**

The purpose and intent of this measure is to clarify that the Board of Land and Natural Resources' authority shall supersede the Mauna Kea Stewardship and Oversight Authority for all lands designated under the state conservation district.

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 Mauna Kea Stewardship and Oversight Authority and three individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the protection of the State's natural resources is of paramount importance. With the enactment of Act 255, Session Laws of Hawaii 2022, the Legislature vested certain natural resource management powers to the newly established Mauna Kea Stewardship and Oversight Authority for lands identified and defined as "Mauna Kea lands". Following a five-year transition period, the Authority will acquire the powers and duties previously held by the Board of Land and Natural Resources as to these Mauna Kea lands.

Your Committee further finds that during this transition period, the law is ambiguous as to whether the Board of Land and Natural Resources or the Mauna Kea Stewardship and Oversight Authority is responsible for Mauna Kea lands that are also designated under the state conservation district. Therefore, this measure clarifies that the Board of Land and Natural Resources will be responsible for Mauna Kea lands designated under the state conservation district.

Your Committee received testimony from the Department of the Attorney General expressing concern that this measure is unclear as to whether the Board of Land and Natural Resources would retain power and jurisdiction over lands designated under the state conservation district pursuant only to chapter 183C, Hawaii Revised Statutes (HRS), or both chapters 171 and 183C, HRS.



Therefore, your Committee has amended this measure by:

- (1) Clarifying that the Board of Land and Natural Resources and the Department of Land and Natural Resources will have power and jurisdiction over lands designated under the state conservation district pursuant to both chapters 171 and 183C, HRS; 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. 81, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 81, 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 (McKelvey). Noes, 1 (Fevella). Excused, none.

**SCRep. 61 Health and Human Services on S.B. No. 404**

The purpose and intent of this measure is to preserve access to health care for Medicaid recipients in the State by continuing and strengthening the Hospital Sustainability Program by:

- (1) Modifying the program to:
  - (A) Expand the definition of private hospitals subject to the program;
  - (B) Increase the fee cap on various hospital sustainability fees;
  - (C) Require the Department of Human Services to consult and negotiate with the hospital trade association located in Hawaii regarding fee participation and rates; and
  - (D) Require the hospital sustainability fee to discontinue under certain circumstances and provide guidelines for the distribution of remaining funds;
- (2) Making the program permanent;
- (3) Permanently exempting the Hospital Sustainability Program Special Fund from the central service expenses assessment and administrative expenses assessment; and
- (4) Appropriating funds out of the Hospital Sustainability Program Special Fund for the purposes of the program.

Your Committee received testimony in support of this measure from Department of Human Services, Hawai'i Pacific Health, The Queen's Health System, Healthcare Association of Hawaii, Kaiser Permanente Hawai'i, Hilo Medical Center Foundation, Hawai'i Primary Care Association, Democratic Party of Hawai'i Kūpuna Caucus' Health and Medical Services Sub-Committee, and One Kalakaua Senior Living Association.

Your Committee finds that the Hospital Sustainability Program and Hospital Sustainability Program Special Fund, established in 2012, play a major role in protecting hospital access for Medicaid beneficiaries, which is especially important as the State continues to work its way out of the coronavirus disease 2019 pandemic and resulting shortage in the State's health care workforce. The program functions by assessing provider fees, known as hospital sustainability fees, on inpatient and outpatient care services provided by private hospitals. The collected fees are then used as a basis to obtain federal Medicaid matching funds. The aggregate state and federal funds are distributed to hospitals as supplemental payments to reduce Medicaid uncompensated care losses. Your Committee also finds that due to the nature of the federal Medicaid matching formula, increasing the provider fees assessed on hospitals under the program can result in a substantial increase in the State's receipt of federal Medicaid payments without negatively impacting the State's budget. Your Committee also finds that the Hospital Sustainability Program, which has successfully helped acute care facilities treat the most vulnerable patients in the State, is scheduled to be repealed on December 31, 2023, with funding provisions scheduled to be repealed on June 30, 2024. This measure will enhance and make the program permanent, thereby preserving and improving access to quality health care for Medicaid recipients.

Your Committee has amended this measure by:

- (1) Adding certain technical, nonsubstantive amendments to sections 36-27 and 36-30, Hawaii Revised Statutes, pertaining to the Hospital Sustainability Program Special Fund exemption from the central service expenses assessment and administrative expenses assessment;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making other 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 404, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 404, 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. 62 Health and Human Services on S.B. No. 314**

The purpose and intent of this measure is to:

- (1) Preserve access to health care for Medicaid recipients by continuing and strengthening the Nursing Facility Sustainability Program by:

- (A) Making the program permanent;
  - (B) Making the Nursing Facility Sustainability Program Special Fund's exemption from the central service expenses assessment and the administrative expenses assessment permanent; and
  - (C) Appropriating funds out of the Nursing Facility Sustainability Special Fund for the program; and
- (2) Repeal State law governing tax imposed on nursing facility income.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i Pacific Health, Healthcare Association of Hawaii, Palolo Chinese Home, Hilo Medical Center Foundation, Hawai'i Primary Care Association, Democratic Party of Hawai'i Kūpuna Caucus' Health and Medical Services Sub-Committee, The Queen's Health System, Kaiser Permanente Hawai'i, and Aloha Nursing Rehab Centre. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that, in recognition that reimbursements from Medicaid are less than the actual costs of care provided to Medicaid recipients, the Legislature established the Nursing Facility Sustainability Program and the Nursing Facility Sustainability Program Special Fund in 2012 to increase Medicaid payments to nursing facilities. The program functions by assessing provider fees on health care items or services provided by nursing facilities and using the collected fees as a basis to obtain federal Medicaid matching funds. The aggregate state and federal funds are then distributed to nursing facilities as supplemental payments to reduce Medicaid uncompensated care losses. Your Committee also finds that due to the nature of the federal Medicaid matching formula, increasing the provider fees assessed on nursing facilities under the program can result in a substantial increase in the State's receipt of federal Medicaid payments without negatively impacting the State's budget. Your Committee also finds that the Nursing Facility Sustainability Program has successfully helped Hawaii's nursing facilities offset losses, thereby allowing them to continue treating the most vulnerable patients in the State. The program, however, is scheduled to be repealed on December 31, 2023, with funding provisions scheduled to repeal on June 30, 2024. This measure will enhance and make the Nursing Facility Sustainability Program permanent, which will preserve and improve access to quality health care for Medicaid recipients in the State.

Your Committee has amended this measure by:

- (1) Deleting technical, nonsubstantive amendments made to sections 36-27 and 36-30, Hawaii Revised Statutes, that relate to the Hospital Sustainability Program Special Fund;
- (2) Clarifying that there is only one nursing facility trade association located in Hawaii;
- (3) Amending section 1 to reflect its updated purposes;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 314, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 314, 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. 63 Health and Human Services on S.B. No. 397**

The purpose and intent of this measure is to appropriate funds to increase Medicaid reimbursements to eligible health care professionals to match the current Medicare fee schedule.

Your Committee received testimony in support of this measure from the Department of Human Services; State Council on Developmental Disabilities; University of Hawai'i System; AlohaCare; AARP Hawai'i; Hawaii Association of Health Plans; Healthcare Association of Hawaii; Hawai'i State Center for Nursing; Hawai'i Association of Professional Nurses; Kaiser Permanente Hawai'i; Palolo Chinese Home; Hilo Medical Center Foundation; Aloha House, Inc.; Democratic Party of Hawai'i Kūpuna Caucus' Health and Medical Services Sub-Committee; Kauai Community Health Alliance; Hawai'i Pacific Health; Hawaii Substance Abuse Coalition; Hawai'i Health & Harm Reduction Center; One Kalakaua Senior Living Association; The Queen's Health System; Hawaii Provider Shortage Crisis Task Force; and eight individuals.

Your Committee finds that health care in Hawaii is financed primarily by Medicare, Medicaid, and private health care insurance. According to the Department of Human Services, Medicaid enrollment has increased in the State by over forty percent in the last three years. As a result, nearly one-third of Hawaii residents are covered by Medicaid. Due to the significant number of Hawaii residents enrolled in Medicaid, health care providers who care for Medicaid recipients are receiving less reimbursement than those who provide the same care for patients covered by Medicare or private health care insurance. Moreover, while some providers (including critical access hospitals, community health centers, and providers who perform certain services) are reimbursed at cost or at the same rates as Medicare, most individual health care professionals (including physicians, psychiatrists, psychologists, and advanced practice registered nurses) are not. Your Committee further finds that the lesser reimbursement rate contributes to the challenges these providers face in sustaining their practices, leading some to limit or refuse to accept Medicaid patients, and adding to Hawaii's health professional shortage.

Your Committee also finds that with the additional general fund appropriation of \$30,000,000 provided by this measure, the Department of Human Services with federal approval, will qualify to access federal matching funds of approximately \$43,000,000, which will be used to implement the Medicaid reimbursement rate increase to eligible health care professionals in the State who provide care for Medicaid recipients. The increase may encourage health care providers to accept Medicaid patients and improve access to health care for Medicaid patients in the State.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 397, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 397, 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. 64 Health and Human Services on S.B. No. 295**

The purpose and intent of this measure is to improve the State's child welfare system by:

- (1) Establishing within the Office of Wellness and Resilience, the Malama Ohana Working Group to seek, design, and recommend transformative changes to the State's existing child welfare system;
- (2) Authorizing the Office of Wellness and Resilience to contract with an administrative facilitator to provide necessary support for the Malama Ohana Working Group in carrying out its duties;
- (3) Requiring the Malama Ohana Working Group to report to the Legislature prior to the Regular Session of 2025, and be dissolved upon adjournment sine die thereof; and
- (4) Appropriating \$250,000 for the Malama Ohana Working Group, including funding for the Office of Wellness and Resilience to contract with an administrative facilitator to provide necessary support for the working group in carrying out its duties.

Your Committee received testimony in support of this measure from the Department of Human Services; Office of Wellness and Resilience; Hawaii Coalition for Child Protective Reform; Catholic Charities Hawai'i; Hawai'i Children's Action Network (HCAN) Speaks!; Family Programs Hawaii; Epic 'Ohana, Inc.; Hale Kipa; Hawaii Family Advocacy Group; Hawai'i State Coalition Against Domestic Violence; and nine individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that there is a strong desire in the community to address the long-standing shortcomings of Hawaii's child welfare system that have been accentuated by the disappearance of six-year-old Isabella Kalua, also known as Ariel Sellers, at her home in Waimanalo and further exacerbated by the effects of coronavirus disease 2019 pandemic. Your Committee further finds that the problems faced by children and families in the State's child welfare system are extremely complex and cannot be resolved by the Department of Human Services alone. To address and resolve these diverse and multi-faceted problems, the State must work with the community and various stakeholders to determine where the core child welfare infrastructure is failing. This measure establishes a working group comprised of various members of the community and stakeholders to develop recommendations to establish a child welfare system that is trauma informed, sustains a community-based partnership, and is responsive to the needs of children and families in the system and the community.

Your Committee requests that your Committee on Ways and Means consider an appropriation amount of \$250,000 for the Malama Ohana Working Group established pursuant to this measure, including funding for the Office of Wellness and Resilience to contract with an administrative facilitator to provide necessary support for the working group in carrying out its duties.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 295, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 295, 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. 65 (Majority) Health and Human Services on S.B. No. 398**

The purpose and intent of this measure is to:

- (1) Expand the investigative powers of the Department of Human Services to include review and investigation of families that receive 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 collect and analyze data to determine the impact of expanding post-permanency services to families receiving benefits from the adoption assistance program and report its findings and recommendation to the legislature before the convening of the Regular Session of 2025;
- (3) Establish within the Department of Human Services a Malama Ohana Working Group to seek, design, and recommend transformative changes to the State's existing child welfare system;
- (4) Require the Malama Ohana Working Group to report its findings and recommendations to the Legislature before the convening of the Regular Session of 2025 and dissolve on June 30, 2025; and

- (5) Appropriate an unspecified amount of 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, including funding for certain additional full time equivalent positions and for the Malama Ohana Working Group.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Hawaii Coalition for Child Protective Reform and two individuals. Your Committee received comments on this measure from the Department of Human Services and EPIC 'Ohana, Inc.

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. Your Committee further finds that there is strong desire in the community to address the long-standing shortcomings of Hawaii's child welfare system to detect and prevent cases like the recent abuse and death of Isabella Kalua, also known as Ariel Sellers, and other similar past tragedies befalling children who were or had previously been under the protection and legal jurisdiction of the State. This measure would assist the Department of Human Services in their efforts to improve the child welfare system.

Your Committee notes the concerns raised in the testimony of the Department of Human Services that existing law already authorizes the Department to investigate upon receiving a report that a child is subject to imminent harm, has been harmed, or is subject to or threatened harm, and applies to all families residing in the State, including those receiving adoption assistance. Additionally, your Committee finds that S.B. No. 295 (Regular Session of 2023), which was also heard by your Committee, establishes a Malama Ohana Working Group in the Governor's Office of Wellness and Resilience, and is the preferred vehicle for advancing this important effort to recommend collaborative, transformative changes to the State's child welfare system. Amendments to this measure are therefore necessary to address these concerns.

Your Committee further notes the testimony of the Department of Human Services requesting an appropriation amount of \$8,000,000 for the itemized expenditures and positions described in this measure to improve the child welfare system. Your Committee requests that your Committee on Ways and Means consider the appropriation amount suggested by the Department of Human Services, taking into account that some of the amounts have been added by the Department into its budget request.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have expanded the investigative powers of the Department of Human Services to include review and investigation of families that receive benefits from the State's adoption assistance program and against whom a post-adoption complaint has been made;
- (2) Deleting language that would have established the Malama Ohana Working Group in the Department of Human Services;
- (3) Inserting an effective date of December 31, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 398, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 398, 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, 1 (Awa). Excused, none.

**SCRep. 66 Health and Human Services on S.B. No. 1472**

The purpose and intent of this measure is to appropriate funds to:

- (1) Expand and enhance the suicide crisis hotline and crisis management services provided by contracted service providers through the Hawaii CARES Crisis Helpline;
- (2) Expand and enhance the crisis mobile outreach services provided by contracted service providers through the Hawaii CARES Crisis Helpline;
- (3) Expand licensed crisis residential shelter services provided by contracted service providers through the Hawaii CARES Crisis Helpline; and
- (4) Expand bed stabilization services provided by contracted service providers through the Hawaii CARES Crisis Helpline.

Your Committee received testimony in support of this measure from the Department of Health; Hawaii Disability Rights Center; Aloha House, Inc.; Democratic Party of Hawai'i Kūpuna Caucus' Health and Medical Services Sub-Committee; Hawai'i Health & Harm Reduction Center; and four individuals.

Your Committee finds that the Hawaii coordinated access resource entry system (CARES) crisis helpline is a statewide crisis call line open twenty-four hours a day, seven days a week, that connects Hawaii residents who are experiencing a mental health crisis with appropriate crisis response service providers to reduce unnecessary hospitalizations and arrests, and provides continual care by maintaining contact between the individual and service providers throughout the duration of treatment. Your Committee also finds that calls made from Hawaii to the National Suicide Prevention Lifeline, now known as the 988 Suicide and Crisis Lifeline, are routed to the Hawaii CARES crisis helpline. Your Committee further finds that the volume of calls to the Hawaii CARES crisis helpline has increased since July 2022, when the National Suicide Prevention Lifeline transitioned to the 988 Suicide and Crisis Lifeline, which is an easy-to-remember, three-digit dialing code of "9-8-8". The funds appropriated by this measure will accommodate the increase in the volume of calls received by the Hawaii CARES crisis helpline to help ensure that individuals who access the Hawaii CARES crisis

helpline directly or through the 988 Suicide and Crisis Lifeline are provided with appropriate crisis intervention services and crisis care coordination.

Your Committee notes the Department of Health's testimony regarding their funding needs and urges the Department to submit to your Committee on Ways and Means for its consideration the requested amount of appropriations for the expansion and enhancement of the crisis mobile outreach services provided by contracted service providers through the Hawaii CARES crisis helpline, pursuant to this measure, including the breakdowns.

Your Committee has amended this measure by:

- (1) Clarifying that the Hawaii CARES is overseen by the Department of Health's Behavioral Health Administration and is managed by two separately contracted entities that specialize in behavioral health crisis response and substance use disorder treatment referrals, respectively;
- (2) Replacing "9-8-8" with its official name, the "988 Suicide and Crisis Lifeline" throughout the measure;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1472, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1472, 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. 67 Labor and Technology on S.B. No. 1302**

The purpose and intent of this measure is to make appropriations and allocations for fiscal biennium 2023-2025 for collective bargaining cost items, salary adjustments, and other cost items for public employees in collective bargaining unit (5) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii State Teachers Association.

Your Committee finds that negotiations for collective bargaining unit (5) agreements are currently in progress. This measure provides a legislative vehicle to appropriate funds if an agreement is reached prior to the end of the 2023 Regular Session.

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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1302, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1302, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.  
Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Ihara, Keith-Agaran).

**SCRep. 68 Labor and Technology on S.B. No. 1313**

The purpose and intent of this measure is to enable the Board of Trustees (Board) of the Hawaii Employer-Union Health Benefits Trust Fund (Trust Fund) to establish appropriate salaries for the Administrator and Chief Investment Officer of the Trust Fund.

Your Committee received testimony in support of this measure from the Hawaii-Employer Union Health Benefits Trust Fund.

Your Committee finds that this administration-sponsored measure will allow the Board of the Trust Fund to exercise the same salary-setting power for certain managerial positions as the Board of Trustees of the Employees' Retirement System. According to oral testimony from the Board, although it currently sets the salary of its Administrator, this duty is not outlined in statute. By clarifying statutory language to reflect the Board's ability to set a competitive salary for its quality managers, such as the Chief Investment Officer, your Committee anticipates an increase in the hiring and retention of qualified individuals to administer the day-to-day activities of the Trust 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1313, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1313, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.  
Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Ihara, Keith-Agaran).

**SCRep. 69 (Majority) Labor and Technology on S.B. No. 1314**

The purpose and intent of this measure is to exclude the Medicare reimbursements by the State and counties for the spouses of retired employees hired after June 30, 2023.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Employer-Union Health Benefits Trust Fund. Your Committee received comments on this measure from the Hawaii Government Employees Association, Local 152, American Federation of State, County and Municipal Employees, AFL-CIO.

Your Committee finds that this administration-sponsored bill would reduce the State's annual required contributions to other post-employment benefits trust funds by approximately \$1,200,000,000 over the next thirty years. According to testimony from the Hawaii Employer-Union Health Benefits Trust Fund, this provision should have been incorporated and enacted when the State and counties were no longer required to reimburse Medicare Part B premiums for retired employees that were hired after June 30, 2001. Your Committee further finds that this housekeeping measure would not impact current retirees, vested former employees, or current employees.

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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1314, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1314, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 2. Noes, 1 (Fevella). Excused, 2 (Ihara, Keith-Agaran).

**SCRep. 70 Labor and Technology on S.B. No. 1383**

The purpose and intent of this measure is to:

- (1) Create the Unemployment Insurance Technology Special Fund (Special Fund) to fund the operating and maintenance costs of the information technology infrastructure for the Unemployment Insurance Program;
- (2) Impose an additional assessment of .01 percent to Unemployment Compensation Trust Fund contributions to be deposited into the Special Fund; and
- (3) Clarify the order of priority to apply collections from delinquent employers to delinquent amounts under Hawaii's Employment Security Law.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations.

Your Committee finds that although federal funds are currently available for the infrastructure and equipment necessary to modernize the Unemployment Insurance Program, the costs of operating and maintaining the information technology systems are not covered by federal funds. According to oral testimony, the assessment proposed in this measure would generate \$1,500,000 each year to defray existing and future operation and maintenance costs.

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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1383, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1383, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Ihara, Keith-Agaran).

**SCRep. 71 (Majority) Judiciary on S.B. No. 925**

The purpose and intent of this measure is to establish a wealth asset tax of one percent of the state net worth of each individual taxpayer who holds \$20,000,000 or more in assets in the State.

Your Committee received testimony in support of this measure from Americans for Democratic Action Hawai'i and four 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 the Attorney General, Grassroot Institute of Hawaii, and Tax Foundation 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 Hawaii, which increases real property values and places financial burdens on the residents of Hawaii. 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 in the State pay their equitable share of taxes.

Your Committee has amended this measure by:

- (1) Specifying that the Department of Taxation shall submit proposed legislation recommending certain provisions for the proper implementation and administration of a wealth asset tax to the Legislature no later than forty days prior to the convening of the regular session of 2024;

- (2) Incorporating the severability clause proposed by the Department of the Attorney General; and
- (3) Inserting an effective date of July 1, 2050; provided that the Act shall apply to taxable years beginning after December 31, 2025, to encourage further discussion.

Your Committee notes how extreme wealth inequity has become and the negative effects on economic growth it has in places where Gini coefficients or other indicators that measure inequality have been determined.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 925, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 925, 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 (Awa). Excused, none.

**SCRep. 72 (Majority) Judiciary on S.B. No. 927**

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 two individuals. Your Committee received testimony in opposition to this measure from seven individuals. Your Committee received comments on this measure from the Department of the Attorney General.

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, Article IV, 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" is extracted or deleted from the total number of "permanent residents" used by the Reapportionment Commission. Thus, even if such resident is included in the decennial United States census count as a "usual resident", they are not factored into the allocation of state senate and house districts. This measure will ensure that all individuals who live in a specific area are not extracted and are counted for representation purposes for that district.

Your Committee has amended this measure by:

- (1) Specifying that the reapportionment be based on the resident population, as counted in the decennial United States census for the respective reapportionment 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 927, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 927, 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 (San Buenaventura). Excused, none.

**SCRep. 73 Judiciary on S.B. No. 181**

The purpose and intent of this measure is to provide one-time grants-in-aid to the respective ethics boards of the counties of Kauai, Maui, and Hawaii, and to the Ethics Commission of the City and County of Honolulu.

Your Committee received testimony in support of this measure from Hawai'i State Ethics Commission, Commission to Improve Standards of Conduct, League of Women Voters of Hawaii, Holomua Collective, and one individual. Your Committee received comments on this measure from the Honolulu Ethics Commission.

Your Committee finds that many of the county ethics boards or commissions lack the necessary resources to adequately meet their constitutionally mandated obligations. Limited or no staffing prevents these entities from sufficiently investigating complaints, providing advice to current county employees, or offering training on how to follow the pertinent code of ethics. Your Committee further finds that providing a one-time grant-in-aid would allow the county entities to develop the infrastructure and capacity to better meet the constitutional mandate of holding public officers and employees to "the highest standards of ethical conduct". It would also allow the counties to appropriately establish greater and more reliable funding over time. This measure will incentivize and encourage the counties to provide greater capacity to county ethics boards or commissions.

Your Committee has amended this measure by:

- (1) Adding language to the findings stating that the grant-in-aid would allow the county ethics boards of Maui, Kauai, Hawaii, and Oahu to hire paid staff who will be responsible for securing, from the respective counties, future ethics board funding; and
- (2) Inserting an effective date of January 1, 3000, to encourage further discussion.

Your Committee notes that the Senate Draft 1 of this measure contains unspecified appropriation amounts and respectfully requests that your Committee on Ways and Means considers inserting an appropriation amount of \$200,000 for each ethics board of the counties of Kauai, Maui, and Hawaii, and to the Ethics Commission of the City and County of Honolulu.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 181, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 181, 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. 74 Energy, Economic Development, and Tourism on S.B. No. 795**

The purpose and intent of this measure is to:

- (1) Require productions to provide evidence of reasonable efforts to comply with all applicable requirements to qualify for the motion picture, digital media, and film production income tax credit; and
- (2) Require taxpayers be given notice and an opportunity to cure requirements for the motion picture, digital media, and film production income tax credit.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Motion Picture Association; Island Film Group; IATSE Local 665; and twenty-two individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the motion picture, digital media, and film production income tax credit program is a critical tool for developing the State's film industry. Since its inception in 2006, the tax incentive has grown the State's film industry from \$100,000,000 per year to an over \$400,000,000 per year economic driver that creates more than four thousand direct and induced jobs annually. Your Committee believes that the motion picture, digital media, and film production income tax credit program has resulted in a thriving film and digital media industry that has broadened the State's tax base and helped to strengthen the State's economy. This measure will help continue to create high-paying jobs and allow the State to remain a successful production center in the Pacific by ensuring that productions will not be at risk of being found non-compliant with the tax credit requirements over minor technical issues and provides taxpayers an opportunity to cure compliance issues, should they arise.

Your Committee has amended this measure by inserting an effective date of January 6, 2050, to encourage further discussion.

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. 795, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 795, 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. 75 Energy, Economic Development, and Tourism on S.B. No. 829**

The purpose and intent of this measure is to appropriate state general funds to qualify for matching federal funds for state broadband initiatives.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor; Department of Budget and Finance; Department of Business, Economic Development, and Tourism; University of Hawai'i System; Department of Research and Development of the County of Hawaii; Hawai'i Primary Care Association; and one individual.

Your Committee finds that equitable access to high-speed broadband internet is an essential need for the State and is not only important for remote-learning and remote-work, but telehealth services, business activities, and for Hawaii to stay connected to the world. Significant federal funding is available to support state broadband initiatives, however, some of these programs require matching funds from the State or other non-federal partners. Your Committee believes that maximizing access to federal funding is critical to addressing the problem of broadband accessibility. This measure will increase high-speed broadband access in the State by appropriating state general funds to qualify for matching federal funds for state broadband initiatives.

Your Committee has amended this measure by 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 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. 829, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 829, 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. 76 Energy, Economic Development, and Tourism on S.B. No. 1237**

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Film Commission;
- (2) Extend the sunset date of the motion picture, digital media, and film production income tax credit to January 1, 2038;
- (3) Transfer the rights, powers, functions, and duties of the Hawaii State Film Office to the Hawaii Film Commission; and
- (4) Appropriate funds for one full-time equivalent (1.0 FTE) Executive Director position within the Hawaii Film Commission.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Screen Actors Guild – American Federation of Television and Radio Artists, IATSE Local 665, Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i State AFL-CIO, Pride at Work - Hawai'i, Hawai'i Nurses' Association – OPEIU Local 50, and twenty-one individuals. Your



Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Taxation; Tax Foundation of Hawaii; and Association of Film Commissioners International.

Your Committee finds that the Hawaii film industry is an important component of a diversified economy. Your Committee further finds that motion picture, digital media, and film production have been effective in stimulating the economy and creating quality jobs in the State. Your Committee believes that strategic focus and organization are paramount in developing and maintaining Hawaii as a premier filming location and the development of a local film workforce to provide both above the line and below the line expertise in pre-production, production, and post-production. This measure will strengthen and improve organization in the Hawaii film industry by establishing the Hawaii Film Commission; transferring the rights, powers, functions, and duties of the Hawaii State Film Office to the Hawaii Film Commission; and extending the sunset date of the motion picture, digital media, and film production income tax credit to January 1, 2038.

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. 1237 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. 77 Energy, Economic Development, and Tourism on S.B. No. 1495**

The purpose and intent of this measure is to:

- (1) Clarify requirements for film productions with production expenditures of \$1,000,000 or more claiming the motion picture, digital media, and film production income tax credit;
- (2) Increase the annual cap from \$50,000,000 to \$75,000,000 for the total amount of the motion picture, digital media, and film production tax credit; and
- (3) Expand the definition of qualified production for the motion picture, digital media, and film production income tax credit to include streaming platforms.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; University of Hawai'i System; Hawaii Teamsters and Allied Workers Local 996; Screen Actors Guild – American Federation of Television and Radio Artists; Island Film Group; FilmCo Holdings; IATSE Local 665; Hawai'i State AFL-CIO; Hawai'i Nurses' Association – OPEIU Local 50; Stonewall Caucus of the Democratic Party of Hawai'i; Pride at Work - Hawai'i; Kapolei Chamber of Commerce; Gripsmith, LLC; and twenty-six individuals. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and one individual.

Your Committee finds that the motion picture, digital media, and film production income tax credit was established by Act 107, Session Laws of Hawaii 1997, to promote the Hawaii film industry and make the State more attractive for motion picture, digital media, and film production decision makers. However, the tax credit's existing \$50,000,000 annual spending cap is not reflective of the current volume of business of the State's film industry and does not provide enough room for growth. Your Committee further finds that the Hawaii film industry creates approximately \$500,000,000 in revenue for the State's economy and an estimated five thousand jobs. Your Committee believes that the tax credit's cap should be increased to reflect the growth of the motion picture, digital media, and film industry in the State. This measure will further expand definitions to align with modern industry standards and refine and strengthen the motion picture, digital media, and film production income tax credit to create greater opportunities for growth and local working families.

Your Committee has heard the concerns raised in testimony that additional labor and vendor protections are necessary to ensure the film tax credit benefits the local workforce. Accordingly, amendments to this measure are necessary to address these concerns.

Your Committee has amended this measure by:

- (1) Inserting language that requires productions claiming the tax credit to:
  - (A) Have not less than seventy-five percent local hires;
  - (B) Utilize one hundred percent local vendors; provided that employment of vendors shall be seventy-five percent local under contract; and provided further that local vendors be provided the opportunity (with reasonable notice) to obtain equipment, materials, or supplies before the production outsources to an out-of-state company; and
  - (C) Submit a notarized statement that lists out-of-state hires and vendors used and the reasons why local hires and vendors were not used;
- (2) Inserting an effective date of January 6, 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 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. 1495, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1495, 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. 78 (Joint/Majority) Agriculture and Environment and Water and Land on S.B. No. 73**

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 Land Use Research Foundation of Hawaii; Hawai'i Farm Bureau; Hawaii Crop Improvement Association; and Hawaii Cattleman's Council, Inc. Your Committees received comments on this measure from the Department of Agriculture and Office of Hawaiian Affairs.

Your Committees find that agricultural park lessees are likely to stop investing in their plot lands or making major improvements to the infrastructure of their agricultural operations when they anticipate their leases will expire without the possibility for renewal or extension. This measure will authorize the Department of Agriculture to extend leases of an agricultural park lessee who holds a lease with a remaining term of fifteen years or less in a county with a population of five hundred thousand or less.

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. 73 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 (Rhoads). Noes, 1 (Awa). Excused, none.

Water and Land: Ayes, 4; Ayes with Reservations (Elefante, McKelvey). Noes, 1 (Fevella). Excused, none.

**SCRep. 79 (Joint) Agriculture and Environment and Water and Land on S.B. No. 93**

The purpose and intent of this measure is to require nonpotable water users and developers within a certain distance of wastewater treatment plants to use R-1 water.

Your Committees received testimony in support of this measure from the Honolulu Board of Water Supply and Hawai'i Community Foundation. Your Committees received comments on this measure from the Department of Health, Department of the Attorney General, and Department of Land and Natural Resources.

Your Committees find that diverting recycled and reusable wastewater for freshwater applications and non-drinking purposes is a valuable technique for both reusing and preserving vital and finite water resources. This measure will establish reuse zones to increase water reuse usage across the State by requiring users or developers within a certain distance of a wastewater treatment plant to utilize recycled wastewater where they are using freshwater for non-drinking purposes.

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. 93 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. 80 Agriculture and Environment on S.B. No. 99**

The purpose and intent of this measure is to require the Department of Agriculture to establish, implement, and administer a meat and poultry inspection program and appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture; Maui Chamber of Commerce; Animal Welfare Institute; Hawai'i Cattleman's Council, Inc.; Hawai'i Farm Bureau; The Food+ Policy Internship 2023; and one individual.

Your Committee finds that the Department of Agriculture's former meat inspection program was discontinued in the 1990s due to budget and staffing cuts and that the United States Department of Agriculture-Food Safety Inspection Service (USDA-FSIS) has since assumed full responsibility of inspections in the State. Your Committee further finds that reviving the State's meat inspection program would provide an alternative to USDA-FSIS inspections and could lead to increases in producer processing capacity; diversification of processing options; and reductions in processing bottlenecks, transportation time, and costs; and make inspections more accessible to remote or rural producers. The USDA-FSIS inspection regulations add complexity and costs to Axis deer meat inspections, and a state program could ease this process. This measure will reestablish Hawaii's meat inspection program and increase the availability and accessibility of inspections across the State to help drive the growth of Hawaii's local meat 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. 99 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. 81 (Joint) Agriculture and Environment and Water and Land on S.B. No. 115**

The purpose and intent of this measure is to establish within the Department of Agriculture, an Aquacultural Area Lease Program for the purpose of identifying state facilities, state lands, and state marine waters that are suitable for use and lease as commercial aquacultural areas.

Your Committees received testimony in support of this measure from the Department of Agriculture and Hawai'i Farm Bureau. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that Hawaii's aquaculture industry continues to be one of the fastest growing segments of agriculture in the State and has become an important source of seafood and other products for local sale and export. Your Committees additionally find that the State currently imports about sixty-three percent of its seafood due to high resident and tourist demand and limited local fishery landings. This measure supports local aquacultural development and production to help the State move toward greater food sustainability and economic prosperity.

Your Committees acknowledge concerns addressed in testimony by the Department of Land and Natural Resources, which notes that the Department would appreciate clarification that lease areas under the program will continue to be subject to the permitting and environmental review requirements contained in sections 183C-6, Hawaii Revised Statutes, or 190D-11, Hawaii Revised Statutes, when the leased area lies within the State Land Use Conservation District. The Department also finds that the measure is unclear as to the impact to the authority and oversight of the Board of Land and Natural Resources over leasing pursuant to chapter 190D, Hawaii Revised Statutes, or ocean dispositions pursuant to chapter 171, Hawaii Revised Statutes.

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. 115 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.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 82      Agriculture and Environment on S.B. No. 316**

The purpose and intent of this measure is to establish additional penalties for dog owners whose dog destroys property while on land zoned for agricultural use.

Your Committee received testimony in support of this measure from the Hawaii Cattleman's Council, Inc.

Your Committee finds that farms and other agricultural operations often incur property damage from unleashed dogs that wander onto agricultural lands without supervision from their owners. This measure establishes a penalty to motivate dog owners to take more initiative in securing their dogs to prevent damage or harm to property on land zoned for agricultural use.

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. 316 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 (Awa).

**SCRep. 83      (Joint) Agriculture and Environment and Water and Land on S.B. No. 376**

The purpose and intent of this measure is to prohibit the mining, extraction, and removal of minerals from the seabed in all state marine waters.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Hawai'i Reef Ocean Coalition, Parley for the Oceans, and five individuals.

Your Committees find that seabed mining poses an unacceptably high risk of damage and disruption to the State's marine environment and the globally significant ecosystems that host thousands of species, including protected and endangered species. Your Committees also recognize that seabed mining and related industries can threaten ocean-dependent industries, such as commercial and recreational fishing and tourism. Your Committees find seabed mining to be inconsistent with the public interest of the State, therefore this measure will prohibit any such related-activity from occurring in state marine waters.

Your Committees have amended this measure by:

- (1) Inserting recommended language from the Office of Hawaiian Affairs that protects privileges and practices of Native Hawaiians; 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. 376, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 376, 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. Noes, none. Excused, none.

Water and Land: Ayes, 5. Noes, none. Excused, none.

**SCRep. 84      (Joint) Agriculture and Environment and Water and Land on S.B. No. 419**

The purpose and intent of this measure is to appropriate funds for the Hawaii Carbon Smart Land Management Assistance Pilot Program.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Climate Change Mitigation and Adaptation Commission; Hawai'i Farm Bureau; Kauai Climate Action Coalition; The Nature Conservancy; Hawaii Environmental Change Agents Carbon Sequestration Task Force; Hawaii Cattlemen's Council, Inc.; Hawai'i Farmers Union United; and three individuals.

Your Committees recognize that the State is committed to reducing its carbon footprint by reducing carbon emissions and increasing and expanding natural carbon sequestration methods wherever possible. Your Committees find that Act 185, Session Laws of Hawaii 2022, established the Hawaii Carbon Smart Land Management Assistance Pilot Program within the Department of Land and Natural Resources, which allows small farmers, ranchers, foresters, and land owners and lessees to receive compensation for taking measures to help Hawaii reach its climate readiness goals. This measure appropriates funds to the Department of Land and Natural Resources for this pilot program.

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. 419 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. 85 (Joint) Agriculture and Environment and Water and Land on S.B. No. 86**

The purpose and intent of this measure is to require the Department of Agriculture, in coordination with the Office of Planning and Sustainable Development, to prepare and periodically update the State Agriculture Functional Plan to include other agricultural economic updates, including seafood sustainability, that expand the State's priority on food by including wild seafood as a viable food source.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau and one individual. Your Committees received comments on this measure from the Office of Planning and Sustainable Development.

Your Committees find that the State's Agricultural Functional Plan was last updated in 1991 and that since then, Hawaii's agricultural industry has transitioned from a predominantly plantation-based sector to a more diversified agricultural sector that offers a wide array of products ranging from macadamia nuts to goat cheese, tropical fruits and vegetables to roasted coffee, and grass-fed beef to wild seafood. Your Committees additionally find that Hawaii's aquaculture industry in particular, continues to be one of the fastest-growing segments of agriculture in the State as Hawaii's residents consume seafood at twice the national average. This measure will support food security in the State by building upon this demand for seafood to include wild seafood as a viable food source in the State Agricultural Functional Plan and authorizing food sustainability and economic data research on the wild seafood industry.

Your Committees acknowledge a concern raised in testimony of the Office of Planning and Sustainable Development that this measure outlines an extensive research program to collect data and research the economic impacts and actions needed to increase food security and food self-sufficiency by ensuring that the wild seafood system can reach its full potential and that to comply with sections 226-55 and 226-56, Hawaii Revised Statutes, the Department of Agriculture will need to convene an advisory committee and work in close cooperation with the officials and people of each county, for which the Office is willing to provide guidelines.

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. 86 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. 86 Agriculture and Environment on S.B. No. 420**

The purpose and intent of this measure is to establish the sustainable food systems working group within the Department of Agriculture.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Hawai'i Climate Change Mitigation and Adaptation Commission; Hawaii Tourism Authority; Ka Ohana O Na Pua; Hawaii Farmers Union United; Ulupono Initiative; Hawai'i Alliance for Progressive Action; Hawai'i Farm Bureau; Hawai'i Food Bank; North Shore Economic Vitality Partnership; Hawaii Food Industry Association; Hawaii Cattlemen's Council, Inc.; Hawai'i Public Health Institute; Kaua'i Climate Action Coalition; the Hawaii Environmental Change Agents Carbon Sequestration Task Force; Food Plus Policy Internship 2023; Our Revolution Hawaii; and forty-one individuals. Your Committee received comments on this measure from the Department of the Attorney General and the Department of Agriculture.

Your Committee finds that food security is lacking in the State and is especially vulnerable to the increasing prevalence of natural and human disasters. Your Committee further finds that a sustainable food systems working group with members across agriculture and related industries, may prove vital in the ongoing effort to enhance food security in Hawaii by collaborating with the Department of Agriculture to establish plans and propose policy changes for the State.

Your Committee acknowledges the testimony of the Department of the Attorney General, which notes possible constitutional issues with the wording used in this measure when specifying representatives from the Native Hawaiian Community. Your Committee finds that this issue raises concerns that merit further consideration and requests that your Committee on Ways and Means consider this testimony and incorporate any changes that may be necessary.

Therefore, your Committee has amended this measure by:

- (1) Changing the two representatives of the University of Hawaii system selected by the Department of Agriculture to instead be selected by the Dean of the College of Tropical Agriculture and Human Resources;
- (2) Changing the Hawai'i Farm Bureau selector from "executive director" to "president";

- (3) Specifying that the representatives of the Hawaii Farmers Union United is to be selected by the President of the Hawaii Farmers Union United;
- (4) Adding another representative of the Hawaii Cattlemen's Council, Inc. to be selected by the President of the Hawaii Cattlemen's Council, Inc.; 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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 420, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 420, 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 (Awa).

**SCRep. 87          Agriculture and Environment on S.B. No. 422**

The purpose and intent of this measure is to make a housekeeping amendment to section 341-6, Hawaii Revised Statutes, to delete a reference to a repealed section.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and the State Environmental Advisory Council.

Your Committee finds that an inadvertent error was made with the enactment of Act 152, Session Laws of Hawaii, Regular Session of 2021. Act 152 administratively transferred the Environmental Advisory Council from the Department of Health to the Office of Planning and Sustainable Development, repealing certain sections of the Hawaii Revised Statutes. However, section 341-6, Hawaii Revised Statutes, still references section 341-4, Hawaii Revised Statutes, which was repealed by Act 152. This measure corrects this error.

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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 422, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 422, 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 (Awa).

**SCRep. 88          Agriculture and Environment on S.B. No. 428**

The purpose and intent of this measure is to require each county to develop a comprehensive integrated wastewater management plan and financial strategy.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Climate Change Mitigation and Adaptation Commission, Hawai'i REALTORS, Environmental Caucus of the Democratic Party of Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that cesspools on the shoreline and in coastal areas will be an increasing source of pollution as ground water rises and coastal erosion accelerates. There are approximately eighty-three thousand cesspools divided into three priority levels across Hawaii and only twenty-seven years left to meet the State's mandate to convert all cesspools into a Department of Health-approved wastewater system by 2050. This measure requires that each county develop a comprehensive integrated wastewater management plan and financial strategy and propose their strategies to the Legislature in order to accelerate progress towards reaching the State's goal.

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. 428 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 (Awa).

**SCRep. 89          Agriculture and Environment on S.B. No. 430**

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Farm to Food Bank Program and Hawaii Food Assistance Program Special Fund to alleviate food shortages in the State; and
- (2) Appropriate moneys.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations Office of Community Services; Department of Agriculture; Hawai'i Primary Care Association; North Shore Economic Vitality Partnership; Hawaii Cattlemen's Council, Inc.; Hawai'i Alliance for Progressive Action; Hawai'i Food Bank; Hawai'i SEED; Hawai'i Farmers Union United; Ulupono Initiative; and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance and State Procurement Office.

Your Committee finds that food security is a critical issue for the State, where one in six residents lack consistent access to healthy and nutritious food. Your Committee further finds that the coronavirus disease 2019 pandemic greatly exacerbated this issue and has severely threatened the health and welfare of Hawaii residents, particularly the underprivileged and most desperate. This measure

establishes the Hawaii Farm to Food Bank Program to alleviate future food shortages, propel the statewide effort to bolster food security across the islands, and stimulate the economy by keeping money spent on food within the State.

Your Committee has amended this measure by:

- (1) Adopting language provided by the State Procurement Office to require procurements executed by the Hawaii Farm to Food Bank Program to be subject to the Hawaii Public Procurement Code, when used for goods, services, or construction that directly benefits the Office of Community 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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 430, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 430, 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. 90      Agriculture and Environment on S.B. No. 445**

The purpose and intent of this measure is to increase civil penalties for the violation of various pollution provisions.

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 civil penalties addressed in this measure have not been updated for more than twenty years. In the intervening years, there have been many changes to the economy, most notably due to inflation, which has weakened the financial deterrence of these penalties. Your Committee further finds that financial deterrence is essential to preventing violations of environmental law in the State and enables the Department of Health to enforce the law with a tougher stance against any such violators. This measure provides updates to these penalties and establishes and appropriates funds for one full-time environmental health specialist position within the Clean Water Branch of the Department of Health to assist in implementing and enforcing these penalties, among other related responsibilities.

Your Committee has amended this measure by:

- (1) Increasing certain proposed penalty amounts from \$56,460 to \$59,973, per the Department of Health's recommendation, to align with the recent inflation adjusted penalty promulgated by the United States Environmental Protection Agency for similar violations;
- (2) Increasing the proposed fine for denial, obstruction, hinderance, or failure of certain acts relating to underground storage tanks from \$10,000 to \$25,000; 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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 445, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 445, 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. 91      Agriculture and Environment on S.B. No. 504**

The purpose and intent of this measure is to prohibit the manufacture, sale, offer for sale, distribution for sale, and distribution for use of any food packaging, food service ware, cosmetic, or personal care product that contains perfluoroalkyl and polyfluoroalkyl substances, beginning on December 31, 2026.

Your Committee received testimony in support of this measure from the Department of Health, Americans for Democratic Action Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, and three individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii, American Chemistry Council, and one individual. Your Committee received comments on this measure from the Household and Commercial Products Association.

Your Committee finds that perfluoroalkyl and polyfluoroalkyl substances (PFAS), often termed "forever chemicals", are toxic and commonly used chemical compounds that do not breakdown in the environment and can accumulate in animal and human tissue when consumed, applied directly on the skin, or when eating foods packaged with material containing these substances. Your Committee further finds that studies have shown PFAS to create many adverse health effects in animal and human populations including cancer, reproductive and developmental harm, thyroid disruption, impaired immune function, increased cholesterol levels, and vital organ damage. This measure expands on Act 152, Session Laws of Hawaii 2022, by prohibiting additional types of food containers, food service ware, cosmetics and personal care products, and its implementation will likely decrease the overall burden of PFAS contamination in Hawaii's environment.

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. 504 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; Ayes with Reservations (DeCoite, Richards). Noes, none. Excused, none.

**SCRep. 92 (Majority) Agriculture and Environment on S.B. No. 506**

The purpose and intent of this measure is to require self-service stations to put labels on gas dispensing equipment that advise consumers on the effects of fossil fuel consumption to human health and the environment.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Center for Climate Change Communication, Think Beyond the Pump, Climate Protectors of Hawai'i, and seven individuals. Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the Hawaii Energy Marketers Association and Public Utilities Commission.

Your Committee finds that increasing public awareness of the harmful effects of the burning of fossil fuels on human health and the environment may support the State's clean energy goals. Thus, this measure aims to increase public awareness by requiring self-service gas stations to place labels on gas dispensing equipment that warn consumers of the effects of fossil fuel consumption to human health and the environment.

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. 506 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 (Awa). Excused, none.

**SCRep. 93 (Joint) Agriculture and Environment and Water and Land on S.B. No. 507**

The purpose and intent of this measure is to:

- (1) Add definitions for "floodway", "natural stormwater infrastructure", and "wetlands" to section 343-2, Hawaii Revised Statutes;
- (2) Require a proposed housing project of the Hawaii Housing Finance and Development Corporation that is exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, and construction standards to ensure that the proposed project does not impact wetlands or natural stormwater infrastructure; and
- (3) Require an environmental assessment for actions under the environmental impact statements law that propose any development that would impact wetlands or natural stormwater infrastructure.

Your Committees received testimony in support of this measure from The Nature Conservancy, Hawai'i Reef and Ocean Coalition, and one individual. Your Committees received testimony in opposition to this measure from the Housing Finance and Development Corporation. Your Committees received comments on this measure from the Office of Planning and Sustainable Development.

Your Committees find that wetlands provide numerous crucial benefits to the State, including minimizing flood damage, reducing sediments and nutrients flowing out into reefs, reducing erosion, sequestering carbon, helping to provide healthy food and clean water for local communities, and providing sustainable habitats for native species, including endangered birds like ae'o (Hawaiian stilt) and 'alae 'ula (Hawaiian moorhen). This measure will include wetlands, floodways, and natural stormwater infrastructure in the Hawaii Environmental Policy Act in order to ensure that projects affecting these indispensable natural systems are not overlooked or damaged by development.

Your Committees acknowledge the testimony of the Office of Planning and Sustainable Development, which recommends consultation with the state and county proposing and approving agencies to ascertain their ability to process the potential increase in the environmental review and assessment proposed by this measure.

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. 507 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.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (DeCoite, Richards). Noes, none. Excused, none.

Water and Land: Ayes, 5; Ayes with Reservations (Elefante, Fevella). Noes, none. Excused, none.

**SCRep. 94 (Joint/Majority) Water and Land and Agriculture and Environment on S.B. No. 71**

The purpose and intent of this measure is to exempt the proposed drilling, construction, or use of a well and well appurtenances on lands leased from the Department of Agriculture from environmental review requirements, 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. Your Committees received testimony in opposition to this measure from the Sierra Club of Hawai'i and two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, and Department of Agriculture.

Your Committees find that existing environmental review requirements can inhibit important agricultural and food production projects and limit the feasibility of new agricultural operations. Your Committees further find that removing regulatory burdens such as environmental review for certain activities and uses can help local agricultural production. Therefore, this measure exempts the proposed drilling, construction, or use of a well and well appurtenances on lands leased from the Department of Agriculture from environmental review requirements, provided that the land is being used to support agriculture and food production.

Your Committees have amended this measure by:

- (1) Deleting “from environmental impact statements” from the new section title to clarify that the intent of this measure is to exempt the activities so described from all environmental review requirements under chapter 343, Hawaii Revised Statutes, and not limited specifically to environmental impact statement review; 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. 71, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 71, 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, 4; Ayes with Reservations (Elefante, McKelvey). Noes, 1 (Fevella). Excused, none.

Agriculture and Environment: Ayes, 4; Ayes with Reservations (DeCoite, Rhoads). Noes, 1 (Awa). Excused, none.

**SCRep. 95 (Joint) Water and Land and Agriculture and Environment on S.B. No. 84**

The purpose and intent of this measure is to establish the Sustainable Food Systems Working Group within the Office of Planning and Sustainable Development to develop a plan for a more sustainable and resilient local food economy.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development; Hawai'i Climate Change Mitigation and Adaptation Commission; University of Hawai'i System; Hawai'i Tourism Authority; Office of Hawaiian Affairs; Hawaii Cattlemen's Council, Inc.; Hawaii Foodbank, Inc.; North Shore Economic Vitality Partnership; Hawaii Food Industry Association; Ulupono Initiative; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; 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 Agriculture.

Your Committees find that a sustainable food system is one in which producers, retailers, members of the community, nongovernmental organizations, and government agencies partner to create a vibrant and resilient local food economy that enhances and sustains the environmental, economic, and social health of the community. Your Committees further find that developing an improved sustainable food system for Hawaii is an opportunity to create a new food economy that integrates the objectives of “green” job creation, sustainable economic development, land stewardship, food security, environmental protection, and climate change resiliency with community health and well-being. Therefore, this measure establishes within the Office of Planning and Sustainable Development the Sustainable Food Systems Working Group.

Your Committees have heard testimony from the Office of Planning and Sustainable Development expressing concerns that the large size of this measure's working group could present quorum challenges. The Office of Planning and Sustainable Development also requested that the total number of working group members be pared down to an odd number so that a majority vote can be achieved on action items.

Therefore, your Committees have amended this measure by:

- (1) Reducing the total number of working group members from twenty-three to nineteen by:
  - (A) Removing two proposed members from the University of Hawai'i System who have experience in food systems and adding one member from the University of Hawai'i College of Tropical Agriculture and Human Resources;
  - (B) Removing one proposed member from the Department of Native Hawaiian Health of the John A. Burns School of Medicine;
  - (C) Removing one proposed member from the agricultural sector that was to be selected by the Director of the Office of Planning and Sustainable Development; and
  - (D) Removing one proposed member from the commercial fishing sector of the State;
- (2) Allowing the Superintendent of Education, rather than the Director of the Office of Planning and Sustainable Development, to select one member from the Hawaii Farm-to-School community;
- (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 and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 84, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 84, 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. 96 (Joint) Water and Land and Agriculture and Environment on S.B. No. 833**

The purpose and intent of this measure is to require the Office of the Governor to negotiate the State's fee simple acquisition of the Wahiawa irrigation system on the island of Oahu and authorize and appropriate funds for the Department of Agriculture, Agribusiness Development Corporation, and Department of Land and Natural Resources to purchase, repair, and maintain the Wahiawa irrigation system and the associated spillway.



Your Committees received testimony in support of this measure from the Department of Agriculture; Ulupono Initiative; Hawai'i Farm Bureau; Dole Food Company, Inc.; ILWU Hawaii Local 142; Luluku Farmers' Association; North Shore Neighborhood Board No. 27; Land Use Research Foundation of Hawaii; Environmental Caucus of the Democratic Party of Hawai'i; Save O'ahu Agriculture, a form letter signed by 1,046 individuals; and three individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that the Wahiawa irrigation system is a critical piece of infrastructure that provides water to farmers in Waialua and Haleiwa on the island of Oahu. Your Committees further find that Dole Food Company, Inc. has listed the irrigation system for sale. Your Committees believe that the acquisition and maintenance of the Wahiawa irrigation system and the associated spillway are in the public interest and will benefit the State by preserving the critical irrigation system for the agriculture industry. Therefore, this measure requires the Office of the Governor to negotiate the State's fee simple acquisition of the Wahiawa irrigation system and appropriates funds for its purchase, repair, and maintenance.

Your Committees have amended this measure by:

- (1) Removing TMKs 7-3-005:005 and 7-3-013:03 from the list of properties to be acquired by the Department of Land and Natural Resources;
- (2) Inserting an appropriation of an unspecified amount for the Department of Land and Natural Resources to manage and maintain its acquired portion of the Wahiawa irrigation system and to hire four full-time equivalent (4.0 FTE) positions;
- (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 and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 833, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 833, 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. 97 Education on S.B. No. 941**

The purpose and intent of this measure is to appropriate funds to the School Facilities Authority for the construction of teacher and educator housing.

Your Committee received testimony in support of this measure from the School Facilities Authority and Executive Office on Early Learning.

Your Committee finds that Hawaii continues to suffer from a shortage of licensed teachers as Hawaii's teacher salaries continue to trail the nation when adjusted for cost of living. Providing financial incentives and affordable options for teacher housing are key strategies for the recruitment and retention of teachers. Teacher housing is also a well-established solution to teacher recruitment and retention for educators serving in hard-to-fill and rural and remote areas. As housing represents a significant portion of each teacher's paycheck, construction of, at minimum, three sites should be developed to provide affordable housing options to teacher to address the ongoing teacher shortage.

Your Committee notes that the intent of this measure is to provide affordable housing for teacher and educators employed by the Department of Education. However, if there are surplus units left vacant, the School Facilities Authority should be empowered to offer those units to educators regardless of their employer.

Your Committee has amended this measure by:

- (1) Inserting language authorizing the School Facilities Authority to partner with public and private development agencies to more expeditiously develop housing at the initial teacher and educator workforce housing sites;
- (2) Authorizing the School Facilities Authority to transfer any appropriations made in this measure and delegate implementation of projects to state partners to effectuate the purposes of this measure;
- (3) Specifying that the initial teacher and educator workforce housing pilot locations shall be located at Nanakuli High and Intermediate School, Waipahu High School, and Mililani High School;
- (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 Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 941, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 941, 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. 98 Agriculture and Environment on S.B. No. 511**

The purpose and intent of this measure is to appropriate funds to establish a foreign agriculture small equipment pilot program to identify efficient agriculture equipment and retrofit engines to meet the United States Environmental Protection Agency's standards.

Your Committee received testimony in support of this measure from Maui County Farm Bureau; Ulupono Initiative; Hawaii Cattlemen's Council, Inc.; Land Use Research Foundation of Hawaii; Hawai'i Farm Bureau; Hawaii Crop Improvement Association; and five individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the need for mechanization is a major impediment of farming in Hawaii and that the average farmer is a small farmer with limited land. While the availability of labor decreases, farmers and ranchers continue to look for alternative means to operate their farms through technology, like small equipment tractors. Your Committee further finds that these technologies are not readily available domestically, but instead, are available abroad in countries like Thailand, Vietnam, Japan, and China. However, the engines attached to these technologies are not in compliance with the United States Environmental Protection Agency's (EPA) standard regulations. This measure will establish a pilot program and appropriate funds for the Department of Agriculture to retrofit EPA-complaint engines into foreign-made small equipment tractors. Your Committee notes that the Department of Agriculture lacks the infrastructure required to implement such a program and prefers H.B. No. 313, Regular Session of 2023, which requires the University of Hawaii to establish a similarly configured pilot program at a community college of their selection.

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. 511 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. 99          Agriculture and Environment on S.B. No. 519**

The purpose and intent of this measure is to establish and appropriate funds for an Aquaculture Advisory Committee within the Department of Agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Aquaculture and Aquaponics Association, Hawai'i Farm Bureau, Kua'āina Uli 'Auamo, Waihole Nursery and Garden Center, Kulahaven Farms LLC, and six individuals.

Your Committee finds that Hawai'i's aquaculture industry earned a record high of \$79.7 million in sales in 2021 and expects this growth to continue. Your Committee further finds that the industry has not had any direct vehicle for policy collaboration with the State since the Governor's Aquaculture Advisory Council was disbanded more than twenty years ago. This measure will reestablish an Aquaculture Advisory Committee within the Department of Agriculture to increase communication between industry actors and relevant policy makers and support the continued growth of aquaculture in the State.

Your Committee has amended this measure, as recommended by the Hawaii Aquaculture and Aquaponics Association, by:

- (1) Specifying that the Advisory Committee be attached to the Office of the Chairperson of the Board of Agriculture;
- (2) Increasing the membership of the advisory committee from five to eleven to include a cross section of aquaculture producers, researchers, extension, investors, and seafood wholesalers, distributors, and restaurant sector representatives;
- (3) Specifying that membership recommendations be made to the Governor by the Chairperson of the Board of Agriculture;
- (4) Establishing a two-year term limit, unless extended on a case-by-case basis by a majority vote of the Advisory Committee;
- (5) Requiring that the Advisory Committee meet quarterly;
- (6) Requiring the Department of Agriculture to provide administrative support to the Advisory Committee; 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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 519, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 519, 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. 100          Agriculture and Environment on S.B. No. 520**

The purpose and intent of this measure is to establish the farmer succession pilot program within the Department of Agriculture.

Your Committee received testimony in support of this measure from Maui County Farm Bureau; Ulupono Initiative; Hawai'i Farmers Union United; Hawai'i Farm Bureau; Hawai'i Foodbank; Food Plus Policy Internship; Adaptations, Inc.; Aloha Harvest; and one individual. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that there are many multigenerational commercial farming and ranching operations that are facing the prospect of closure due to a shortage of young farmer successors in the State. This measure will provide support for the up-and-coming generation of new farmers who are interested in developing and broadening their skills and knowledge of the trade.

Your Committee acknowledges the testimony from the Department of Agriculture and agrees with their recommendation that the farmer succession pilot program would be better placed within the University of Hawaii Community College System.

Therefore, your Committee has amended this measure by:

- (1) Establishing the farmer succession pilot program within the University of Hawaii Community College System, rather than within the Department of Agriculture; 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. 520, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 520, 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. 101 (Majority) Agriculture and Environment on S.B. No. 635**

The purpose and intent of this measure is to propose a constitutional amendment to ensure that the inherent and inalienable 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.

Your Committee received testimony in support of this measure from the Chamber of Sustainable Commerce, Zero Waste Kauai, Our Revolution Hawaii, Kauai Women's Caucus, Hawai'i Reef and Ocean Coalition, Climate Protectors Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Kauai Climate Action Coalition, Trinity United Methodist Church, Community Coalition Kauai, Green Amendments for the Generation, Hawai'i Alliance for Progressive Action, Hawaii Youth Climate Coalition, Independent Energy, 350Hawaii, Surfrider Foundation, Zero Waste Hawai'i Island, Imua Alliance, and twenty-nine individuals. Your Committee received comments on this measure from the Department of the Attorney General and Department of Land and Natural Resources.

Your Committee finds that the earth and its environments are under siege from the consequences of modern human civilization. Though the Hawaiian islands are the most isolated island chain in the world, the State is not immune to the severe weather patterns, toxic contamination and degradation of natural spaces, and extreme changes to the climate that are ravaging the planet. Your Committee further finds that governments around the world are slow to adopt laws that could curtail these effects, which leaves Hawaii, its people, and its natural resources in a state of increasing vulnerability. The Hawaii State Constitution acknowledges the rights and duties of the State to protect the environment, but does not recognize the inalienable and self-executing right of all people to a clean and healthy environment. Thus, this measure proposes an amendment to Article I of the Hawaii State Constitution that will enhance the State's commitment to the health of the environment and the collective well-being of its people.

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. 635 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; Ayes with Reservations (DeCoite, Richards). Noes, 1 (Awa). Excused, none.

**SCRep. 102 (Majority) Agriculture and Environment on S.B. No. 647**

The purpose and intent of this measure is to authorize the Department of Agriculture to extend the 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 persons.

Your Committee received testimony in support of this measure from Maui County Farm Bureau; Hawaii Cattlemen's Council, Inc.; Hawaii Floriculture and Nursery Association; Land Use Research Foundation of Hawaii; Hawai'i Farm Bureau; Local Food Coalition; Hawaii Crop Improvement Association; and four individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that agricultural park lessees are likely to stop investing in their plot lands or improve the infrastructure of their agricultural operations when they anticipate their leases will expire without the possibility for renewal or extension. This measure will authorize the Department of Agriculture to extend leases of an agricultural park lessee who holds a lease with a remaining term of fifteen years or less in a county with a population of less than five hundred thousand.

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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 647, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 647, 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, 1 (Awa). Excused, none.

**SCRep. 103 (Joint/Majority) Agriculture and Environment and Water and Land on S.B. No. 657**

The purpose and intent of this measure is to appropriate funds for:

- (1) The development of a database and data portal from data sources detailed in the Hawaii Climate Change Mitigation and Adaptation Commission report, *Social Vulnerability to Climate Change in Hawai'i – Data, Indicators, and 'Gap' Assessment*; and
- (2) The maintenance and updating of the data portal.

Your Committees received testimony in support of this measure from Blue Planet Foundation and one individual. Your Committees received testimony in opposition of this measure from two individuals. Your Committees received comments on this measure from the Hawai'i Emergency Management Agency.

Your Committees recognize that the State is committed to the reduction of carbon in the atmosphere and is interested in proposed legislation that may aid the State in meeting its carbon reduction goals. Your Committees find that in 2021 and 2022, the Hawai'i Climate Change Mitigation and Adaptation Commission partnered with the University of Hawai'i and other stakeholders to produce a report titled, *Social Vulnerability to Climate Change in Hawai'i: Data, Indicator, and "Gap" Assessment*. This report produced the key recommendation that the State should fund and develop a comprehensive, user-friendly data portal on social vulnerability and climate change risks in Hawaii. This measure will help communities and county, state, and federal agencies better understand that social impacts of climate change in the State by allowing for the production of a Hawaii-specific social vulnerability index.

Your Committees acknowledge a comment from testimony by the Hawai'i Emergency Management Agency, that it encourages your Committee to consider adding language to this measure to clarify that the development of the database should be coordinated with all relevant parties, including those parties involved in the existing hazard mitigation framework.

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. 657 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, 1 (Awa). Excused, none.

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 104      Agriculture and Environment on S.B. No. 660**

The purpose and intent of this measure is to require and appropriate funds for the Department of Agriculture to establish a Healthy Soils Program.

Your Committee received testimony in support of this measure from the Hawai'i Climate Change Mitigation and Adaptation Commission, Hawai'i Farmers Union United, Beyond Pesticides Hawai'i Organic Land Management Program, Hawai'i Farm Bureau, Ho'ola Farms, Kauai Climate Action Coalition, Food+ Policy Internship 2023, 350Hawaii, 'Ai Pohaku, Puamana Gardens, Kanalani Ohana Farm, Our Revolution Hawaii, Adaptations Inc., Hawai'i Alliance for Progressive Action, Kona Coffee Farmers Association, Women Organizing for Change in Agriculture and Natural Resource Management, Sunshine Farms LLC, Pohoku Farm, Environmental Caucus of the Democratic Party of Hawai'i, Waihunahuna Foundation, Ho'olono Natural Remedies, and sixty-three individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of the Attorney General.

Your Committee recognizes that the State is committed to strengthening local food production and food security in Hawaii, but finds that the commitment to these policies should not come at the expense of public health or the environment. Your Committee additionally finds that the basis of sustainable and healthy farm systems depends on the condition and health of the soil. Thus, this measure establishes and funds a Healthy Soils Program within the Department of Agriculture to establish standards and practices for healthy soil development and conservation and provides Hawaii's farmers with education, assistance, and incentives to meet these standards.

Your Committee has amended this measure, as recommended by Beyond Pesticide's Hawai'i Organic Land Management Program, by:

- (1) Requiring the healthy soils programs to establish standards:
  - (A) For soil health that includes the importance of a holistic approach to land management that integrates cultural, biological, and mechanical practices, which cycle nutrients, promote ecological balance, and conserve biodiversity; and
  - (B) That phase out the use of petrochemical synthetic fertilizers over a period of five to ten years, during which the Department of Agriculture shall provide farmers with assistance in adopting a holistic approach to land management that integrates cultural, biological, and mechanical practices, which cycle nutrients, promote ecological balance, and conserve biodiversity; 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. 660, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 660, 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 (Richards). Noes, none. Excused, 1 (DeCoite).

**SCRep. 105      Agriculture and Environment on S.B. No. 114**

The purpose and intent of this measure is to require the Animal Industry Division of the Department of Agriculture to administer an assessment and approval process to import and move aquatic livestock in the State.

Your Committee received testimony in support of this measure from the Department of Agriculture and two individuals. Your Committee received testimony in opposition to this measure from the Pet Advocacy Network and Jamestown Point Whitney Ventures LLC. Your Committee received comments on this measure from the Hawaii Aquaculture and Aquaponics Association and Hawai'i Farm Bureau.

Your Committee recognizes the need to enhance food security in the State and that aquaculture is Hawaii's fastest growing local industry in the agriculture sector. Your Committee finds an additional need to enhance the public's safety from possible diseases that may be transmitted from the aquatic life trade, while also supporting the expansion and development of the aquaculture industry. This measure adds requirements that will instill new standards and frameworks to limit the spread of disease from the aquatic life trade.

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. 114 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. 106 (Joint) Agriculture and Environment and Water and Land on S.B. No. 432**

The purpose and intent of this measure is to designate Hawaii coral reefs as critical natural infrastructure.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Reef and Ocean Coalition, The Nature Conservancy, and five individuals. Your Committees received comments on this measure from the Hawai'i Emergency Management Agency.

Your Committees find that in Hawaii, coral reefs serve as the first line of defense to shoreline erosion and tidal flooding related events. Coral reefs act as natural breakwaters, dissipating up to ninety-seven percent of wave energy impacting shorelines and trapping sediment, which is estimated to save the State around \$836,000,000 annually. Your Committees additionally find that Hawaii's coral reefs are threatened by the effects of climate change, including sea level rise, coral bleaching, and ocean acidification, among other substantial stressors. This measure will designate Hawaii's coral reefs as critical natural infrastructure, which will demonstrate the State's support for nature-based climate change solutions and increase the likelihood of receiving funding from the Federal Emergency Management Agency's Hazard Mitigation Assistance Program to support coral reef protection and restoration in Hawaii.

Your Committees acknowledge a concern addressed in testimony by the Hawai'i Emergency Management Agency, which requests that your Committees consider adding language to this measure that would also direct that this designation be considered by the State and counties in their hazard mitigation planning and that this would streamline and support the State's ability to pursue federal grants.

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. 432 and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

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. 107 Hawaiian Affairs on S.B. No. 731**

The purpose and intent of this measure is to designate November 28 of each year as La Kuokoa, Hawaiian Independence Day, to celebrate the historical recognition of the independence of the Kingdom of Hawaii.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Hawaii's special heritage and the various holidays currently celebrated distinguish Hawaii from other states. La Kuokoa 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 through the signing of the Anglo-French Declaration, 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 Committee further finds that La Kuokoa 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 Committee believes that the State's acknowledgment of La Kuokoa, or Hawaiian Independence 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 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. 731 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. 108 Hawaiian Affairs on S.B. No. 733**

The purpose and intent of this measure is to require the Office of Hawaiian Affairs to establish and maintain Hawaiian cultural centers within the State and to appropriate moneys for the planning and design of the first Hawaiian cultural center.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that culture is the essence of civilization, and includes all those things that distinguish a society and people, including language, stories, customs, music, art, food, protocols, religions, values, traditions, and celebrations. Your Committee further finds that Native Hawaiians and their rich and vibrant culture are what continues to make Hawaii unique and different from other places in the world. However, Your Committee finds that despite the importance of Hawaiian culture in the State, there are no public spaces solely dedicated to the practice and perpetuation of Hawaiian culture. Therefore, this measure requires the Office of Hawaiian Affairs to establish and maintain Hawaiian cultural centers within the State and appropriates moneys for the planning and design of the first Hawaiian cultural center.

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. 733 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 (Keohokalole). Noes, none. Excused, 1 (Fevella).

**SCRep. 109 Hawaiian Affairs on S.B. No. 732**

The purpose and intent of this measure is to designate the second Monday in October of each year as Indigenous Peoples' Day and establish Indigenous Peoples' Day as a state holiday.

Your Committee received testimony in support of this measure from The Volcano School of Arts & Sciences, a Community Public Charter School; and nineteen individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Collective Bargaining, Department of Budget and Finance, and Department of Human Resources of the City and County of Honolulu.

Your Committee finds that indigenous peoples, including Native Hawaiians, have thrived and remained resilient for generations, contributing to the world their rich histories, knowledge, and cultural practices. Indigenous Peoples' Day was first proposed by indigenous groups at a 1977 United Nations conference to counteract discrimination and correct the narrative that Christopher Columbus discovered the Americas, which had been inhabited for millennia by over six hundred indigenous nations. The second Monday in October, formerly named after Christopher Columbus, was chosen to recognize the contributions of indigenous peoples and their inherent sovereignty.

Your Committee further finds that, similar to the indigenous peoples of the Americas, the arrival of Captain James Cook to the islands in 1778 forever changed the indigenous Native Hawaiian people. Western missionaries introduced new infectious diseases that decimated the Native Hawaiian population by eighty-four percent within just sixty years. Further, western missionaries prohibited many traditional Hawaiian cultural practices, including hula and olelo Hawaii.

Your Committee finds that presently, Hawaii is one of seventeen states that does not celebrate Columbus Day, and instead observes Discoverers' Day on the second Monday in October "in recognition of the Polynesian discoverers of the Hawaiian islands." While Discoverers' Day acknowledges the ancestors of Native Hawaiians and other indigenous Polynesians who discovered Hawaii, recognizing and designating Indigenous Peoples' Day as a state holiday will serve as a day to educate Hawaii's people about the State's obligation to the original inhabitants of Hawaii and to celebrate their cultural practices. Therefore, this measure will designate the second Monday in October of each year as Indigenous Peoples' Day and establish Indigenous Peoples' Day as a state holiday.

Your Committee has heard testimony from the Office of Collective Bargaining expressing concerns that while the establishment of a holiday remains in the purview of the Legislature, the holiday's impact on public employees is still a negotiable matter, subject to collective bargaining. Your Committee also heard testimony from the Department of Budget and Finance estimating that the addition of a new state holiday would cost approximately \$17,000,000 in lost productivity.

Therefore, your Committee has amended this measure by:

- (1) Repealing the designation of election days as state holidays in order to mitigate costs and to minimize the potential impacts on public employees; 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. 732, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 732, 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. 110 Hawaiian Affairs on S.B. No. 740**

The purpose and intent of this measure is to require the Department of Hawaiian Home Lands to digitize its applicant, beneficiary, and lessee records and create an interactive digital database software program to be completed and available for use no later than July 1, 2024.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Keaukaha Pana'ewa Farmers Association, and three individuals. Your Committee received comments on this measure from Hui Kako'o 'Āina Ho'opulapula, Sovereign Council of Hawaiian Homestead Associations, and one individual.

Your Committee finds 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. Your Committee further finds that if a beneficiary seeks to determine the beneficiary's status, finding and gathering that information can require weeks of work. Therefore, this measure will require the Department of Hawaiian Home Lands to compile all relevant lease information into a database to improve efficiency.

Your Committee has heard testimony from the Department of Hawaiian Home Lands expressing concerns that the July 1, 2024, deadline to create the interactive digital database software program is unfeasible, and that additional time and funding for a phased implementation plan would provide a more practical solution. The Department of Hawaiian Home Lands also testified that their Phase I estimated cost for the integrated information system was \$3,000,000. Your Committee finds that, as the digital database is intended to be a part of a broader strategic plan for the Department of Hawaiian Home Lands, the Department's concerns have merit.

Your Committee also has heard testimony from Hui Kako'o 'Āina Ho'opulapula expressing concerns that the background information in the purpose section of this measure related to lessee abuses of the Hawaiian Home Lands program should not form the basis for this measure. Hui Kako'o 'Āina Ho'opulapula testified that the purpose of this measure should be solely for the provision of clear, transparent, current, and timely information for beneficiaries and the public.

Therefore, your Committee has amended this measure by:

- (1) Requiring the Department of Hawaiian Home Lands to complete an assessment and report on the feasibility of creating an interactive digital database software program and to submit their report to the Legislature by July 1, 2024; and
- (2) Amending section 1 to clarify that this measure's purpose is for transparency and not to address lessee abuse of the Hawaiian Home Lands program.

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. 740, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 740, 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. 111 Hawaiian Affairs on S.B. No. 741**

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 three individuals. Your Committee received testimony in opposition to this measure from four individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands, Hui Kako'o 'Āina Ho'opulapula, Sovereign Council of Hawaiian Homestead Associations, and one individual.

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 heard the testimony from the Sovereign Council of Hawaiian Homestead Associations and an individual expressing concerns that the measure would unintentionally and permanently deny former lessees who sold or transferred their lease interest due to medical hardships or other extraneous circumstances the ability to ever reapply for a homestead lease.

Therefore, your Committee has amended this measure by:

- (1) Specifying that a lessee or successor is not eligible to return to the waitlist only if they sell their lease for personal gain;
- (2) Establishing a right of first refusal for the Hawaiian Homes Commission on sales or transfers of leases made for personal gain; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee also discussed how "personal gain" could best be defined to satisfy the full intent of this measure. Your Committee notes that the definition of "personal gain" should not be construed to the detriment of families, and your Committee discussed the concept of allowing a seller to submit a reason for their sale for personal gain to the Hawaiian Homes Commission in order to receive a waiver. Your Committee finds that this issue raises concerns that merit further consideration and requests that your Committee on Judiciary, should it deliberate on this measure, 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 Hawaiian Affairs 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 referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.  
Ayes, 5; Ayes with Reservations (Richards, Fevella). Noes, none. Excused, none.

**SCRep. 112 Hawaiian Affairs on S.B. No. 1014**

The purpose and intent of this measure is to allow the Department of Hawaiian Home Lands to retain independent legal counsel and to retain the services of the Attorney General on an as-needed basis.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Sovereign Council of Hawaiian Homestead Associations, Keaukaha Pana'ewa Farmers Association, and one individual. Your Committee received testimony in opposition to this measure from the Department of the Attorney General. Your Committee received comments on this measure from one individual.

Your Committee finds that the Department of Hawaiian Home Lands is unique in its genesis through the Hawaiian Homes Commission Act of 1920, as amended. Further, the Department of Hawaiian Home Lands has a fiduciary duty to its beneficiaries in the fulfillment of its trust obligation. Given this unique and significant history, the Department of Hawaiian Home Lands and other state agencies will, at times, have different strategic objectives and policies on issues that are culturally sensitive to the Native Hawaiian people. Therefore, this measure allows the Department of Hawaiian Home Lands to retain independent legal counsel and to retain the services of the Attorney General on an as-needed basis.

Your Committee has heard testimony from the Department of the Attorney General, which provided assurances that safeguards were already in place to ensure zealous representation and to avoid conflicts of interest. Your Committee has also heard testimony from the Department of Hawaiian Home Lands emphasizing that certain issues, such as those involving Mauna Kea, necessarily require counsel to view issues through a Native Hawaiian lens. In acknowledgment of these discussions, your Committee has amended this measure by:

- (1) Limiting the Department of Hawaiian Home Lands' ability to retain independent counsel to situations where the opposing party to the reasonably anticipated litigation is the State or another state agency; and
- (2) 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. 1014, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1014, 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. 113 Hawaiian Affairs on S.B. No. 200**

The purpose and intent of this measure is to increase the amount of partial public financing available to all candidates.

Specifically, this measure:

- (1) Increases the maximum amount of public funds available for all offices by fifty percent;
- (2) Increases the maximum amount of public funds available for a candidate for the Office of Hawaiian Affairs from \$1,500 to ten percent of the expenditure limit for each election;
- (3) Increases the amounts of qualifying contributions for the Office of Hawaiian Affairs from more than \$1,500 to more than \$5,000 in the aggregate;
- (4) Provides a downward adjustment of the amounts of qualifying contributions for the Office of Prosecuting Attorney for the City and County of Honolulu, County of Hawaii, and County of Kauai and for the Office of County Council for the County of Maui;
- (5) Appropriates unspecified sums for the increase in the partial public financing program; and
- (6) Appropriates \$200,000 for the Campaign Spending Commission to hire two additional staff members.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and Commission to Improve Standards of Conduct.

Your Committee finds that using public funds to finance election campaigns is in the public interest because it mitigates the outsized influence of large private donors. In Hawaii, a partial public financing program is operated by the Campaign Spending Commission and provides dollar for dollar matching funds up to a maximum amount on the qualifying contributions raised by a candidate who has first collected the minimum amount of these contributions for the prescribed office.

Your Committee further finds, however, that the amounts of funds available to candidates through the partial public financing program were last amended in 1995. Naturally, the real value of a dollar has decreased over time due to inflation. Therefore, this measure increases the matching fund payments available to candidates participating in the partial public financing program and appropriates funds to allow the Campaign Financing Commission to hire additional staff.

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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 200, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 200, 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. 114 Judiciary on S.B. No. 917**

The purpose and intent of this measure is to propose a constitutional amendment to provide that freedom of speech protected under the Hawaii State Constitution does not include the expenditure of money to influence elections.

Your Committee received testimony in support of this measure from the Americans for Democratic Action Hawai'i, Stonewall Caucus of the Democratic Party of Hawai'i, and four individuals.

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 specifying that the ballot question will be, “[s]hall the Hawaii State Constitution be amended to state that freedom of speech protections under the Hawaii State Constitution do not include the expenditure of money to influence elections, which would take effect if the United States Supreme Court overturns, Congress overrides, or an amendment to the United States Constitution invalidates the United States Supreme Court’s decision in *Citizens United v. Federal Election Commission*, which allows unrestricted spending by corporations on 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. 917, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 917, 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. 115 (Majority) Judiciary on S.B. No. 1167**

The purpose and intent of this measure is to propose a constitutional amendment to protect an individual’s reproductive freedom in their most intimate decisions, including the right to abortion and contraceptives.

Your Committee received testimony in support of this measure from the Department of Health, Hawai’i Civil Rights Commission, Americans for Democratic Action Hawai’i, Hawaii Section of the American College of Obstetricians and Gynecologists, Community Alliance on Prisons, Democratic Party of Hawai’i, Hawai’i Friends of Civil Rights, Pride at Work – Hawai’i, Save Medicaid Hawaii, Stonewall Caucus of the Democratic Party of Hawai’i, and forty individuals. Your Committee received testimony in opposition to this measure from the Hawaii Family Forum; Americans United for Life; Roman Catholic Church in the State of Hawaii, Diocese of Honolulu; and thirteen individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that Hawai’i has a long history of recognizing the importance of access to abortion care and protecting this access is widely supported. While Hawai’i has been a long-time leader in reproductive health care rights, the landscape in the rest of the country is rapidly changing. Since the *Dobbs v. Jackson Women’s Health*, 597 U.S. \_\_\_ (2022), decision by the United States Supreme Court in June 2022 that overturned almost fifty years of a national constitutional right to abortion, several states have passed laws banning or highly restricting access to abortion. Amending the Hawaii State Constitution is the strongest and most lasting way to ensure individual reproductive rights in Hawai’i. This measure will protect access to safe reproductive health care services for women in Hawai’i.

Your Committee has amended this measure by:

- (1) Specifying that no law shall be enacted, nor any state action taken, that denies or interferes with an individual’s reproductive freedom in their most intimate decisions, including the fundamental right to abortion and contraceptives; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1167, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1167, 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, 2 (Gabbard, Awa). Excused, none.

**SCRep. 116 (Majority) Judiciary on S.B. No. 992**

The purpose and intent of this measure is to propose a constitutional amendment to increase the mandatory retirement age for justices and judges from seventy to seventy-five years of age.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Community Alliance on Prisons, and two individuals. Your Committee received testimony in opposition to this measure from three individuals.

Your Committee finds that the mandatory retirement age of seventy years ignores the fact that many people work well beyond the age of seventy as productive, contributing members of society. Forcing qualified, competent judges to retire simply based on an arbitrarily imposed age can adversely affect the quality of the Judiciary by removing from office competent judges who possess years of knowledge and experience. This measure will ensure that the State does not lose competent and experienced judges merely because of their age.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 992 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 (Awa). Excused, none.

**SCRep. 117 Education on S.B. No. 105**

The purpose and intent of this measure is to change the Department of Education’s requirement to report on autism spectrum disorder from a quarterly to an annual report.

Your Committee received testimony in support of this measure from the Department of Education. Your Committee received in opposition of this measure from the Hawaii Disability Rights Center.

Your Committee finds that Act 205, Session Laws of Hawaii 2018, mandates that the Department of Education submit quarterly reports that include, among other things, the number of students with autism spectrum disorder, staffing requirements, and Medicaid reimbursement schedules and amounts. However, the quarterly report offers few changes reflected between each period. Changing the reporting requirement to an annual report would provide a more equitable balance between the benefit of the informational report and the associated administrative workload.

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. 105 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. 118 Education on S.B. No. 830**

The purpose and intent of this measure is to:

- (1) Require each Department of Education school to establish a critical medical emergency response team; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Children's Action Network Speaks!, Hawaii Fetal Alcohol Spectrum Disorder Action Group, Caring for Hawai'i Neonates, and sixteen individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that in critical medical emergencies, every second counts. Long-term injury, brain damage, and even death can occur within a few minutes of an emergency situation. Presently, while the Department of Education has basic emergency response guidance, there is a gap between the guidance provided to "administer first aid" and the training and preparedness of personnel in the case of an unforeseen critical medical emergency. This measure would ensure all Department of Education students, faculty, and staff receive critical emergency assistance when responding to unforeseen emergencies, by requiring the appointment of critical emergency response team members and establishment of response procedures.

Your Committee has amended this measure by:

- (1) Clarifying that all department schools under the Department of Education shall establish a critical emergency response team;
- (2) Clarifying that the complex area superintendent shall provide support for corrective action plans;
- (3) Inserting language that exempts persons who act in accordance with the requirements of this measure from any civil or criminal liabilities, except under certain conditions; 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. 830, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 830, 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. 119 Education on S.B. No. 290**

The purpose and intent of this measure is to:

- (1) Require that appropriations allocated to Department of Education programs that provide instructional services directly to students remain within the budget of the program to which they were originally allocated;
- (2) Specify that the retention of an appropriation shall not be used by the Department of Education as a basis for reducing a program's future budget requirements;
- (3) Authorize the Department of Education to create temporary positions under certain conditions; and
- (4) Amend the requirement that the Department of Education report the creation of temporary positions to the Department of Budget and Finance and the Legislature.

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

Your Committee finds that the Department of Education establishes temporary positions for instructional services and critical support for students and teachers. Temporary positions help ensure that basic school operations are provided and that health and safety are adequately addressed. Temporary positions also provide support outside of the classroom at complex areas and state offices through persons such as behavioral health specialists, district resource teachers, and complex academic officers. The temporary workforce is critical to the functioning of the Department of Education, and provide necessary flexibility and support to the Department of Education to continue its mission of educating Hawaii's keiki. Additionally, your Committee finds that funds allocated to the schools and programs that provide instructional services directly to students should not be diverted to fund the Department's administration. This measure will require that appropriations allocated to programs that provide instructional services directly to students shall remain within the budget of the program for which they were originally allocated.

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. 290, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 290, 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. 120 Hawaiian Affairs on S.B. No. 1609**

The purpose and intent of this measure is to appropriate funds for 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 received testimony in support of this measure from the Office of the Mayor of the County of Maui; Council for Native Hawaiian Advancement; Ko'olau Foundation; Kapolei Chamber of Commerce; Hui Iwi Kuamo'o; one member of the City Council of the County of Maui; 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 the Attorney General; Department of Business, Economic Development, and Tourism; and Department of Budget and Finance.

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 nonprofit organization efforts.

Your Committee has heard the testimony of the Department of the Attorney General, expressing concerns that this measure does not contain sufficient standards for grants of public money pursuant to article VII, section 4, of the Hawaii State Constitution.

Therefore, your Committee has amended this measure by:

- (1) Adding additional grant conditions sufficient to comply with article VII, section 4, of the Hawaii State Constitution;
- (2) Amending Act 195, Session Laws of Hawaii 2022, to include this measure's additional grant requirements; 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. 1609, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1609, 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. 121 Ways and Means on S.B. No. 580**

The purpose and intent of this measure is to amend the law relating to land use.

Prior to the hearing on this measure, your Committee prepared and made available for public review a proposed Senate Draft 1, which amends this measure by deleting its contents and replacing them with language that transfers the Office of Planning and Sustainable Development from the Department of Business, Economic Development, and Tourism to the Department of Land and Natural Resources.

Your Committee has amended this measure by adopting the proposed Senate Draft 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. 580, 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. 580, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (DeCoite, Shimabukuro, Wakai).

**SCRep. 122 Housing on S.B. No. 551**

The purpose and intent of this measure is to amend the law relating to housing.

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 that clarifies that notwithstanding any other law to the contrary, the Hawaii Housing Finance and Development Corporation may develop certain housing projects that shall be exempt from all statutes, ordinances, charter provisions, and rules relating to planning, zoning, and other certain standards, provided that certain conditions are met.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 551, as amended herein, and recommends that it be recommitted to your Committee on Housing, in the form attached hereto as S.B. No. 551, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Rhoads).

**SCRep. 123 Public Safety and Intergovernmental and Military Affairs on S.B. No. 875**

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 Committee received testimony in support of this measure from one member of the Honolulu City Council.

Your Committee finds that presently, the counties must complete a lengthy process to enforce violations of land use ordinances and building codes against repeat and egregious offenders. The current process requires multiple notices and a judicial foreclosure process that is a legal process mostly beyond the counties' control. Additionally, the counties often lack legal manpower and funding to pursue judicial foreclosures. Your Committee believes that a more efficient and effective method should be available to the counties to collect liens on properties for civil fines. This measure will allow counties to better enforce land use ordinances and building code requirements by authorizing 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.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 875 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. 124 (Majority) Public Safety and Intergovernmental and Military Affairs on S.B. No. 821**

The purpose and intent of this measure is to appropriate funds to the Department of Law Enforcement for the purchase of drones to monitor the use of illegal fireworks.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society, Poi Dogs and Popoki, and seventeen individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department and two individuals. Your Committee received comments on this measure from the Department of Law Enforcement.

Your Committee finds that the use of illegal fireworks in the State has increased in recent years, with fireworks going off in certain neighborhoods for months at a time. Illegal fireworks create sustained stress on people and animals, which can do lasting damage to their emotional and physical health. Your Committee believes that local law enforcement should use modern technology and methods to enforce fireworks laws. This measure will reduce illegal fireworks usage in the State by appropriating funds to the Department of Law Enforcement for the purchase of drones to monitor the use of illegal fireworks.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 821 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 (Awa). Excused, none.

**SCRep. 125 (Majority) Public Safety and Intergovernmental and Military Affairs on S.B. No. 1332**

The purpose and intent of this measure is to:

- (1) Clarify the scope of the state comprehensive emergency management plan;
- (2) Delineate allowable uses of Major Disaster Fund moneys;
- (3) Increase the amount of the additional funds that may be made available for the purpose of matching federal disaster relief funds from \$5,000,000 to \$10,000,000;
- (4) Shorten the duration of price control periods from ninety-six to seventy-two hours; and
- (5) Clarify that entities other than the National Weather Service may issue warnings that may require the activation of the emergency management system.

Your Committee received testimony in support of this measure from the Department of Defense, Hawaii Emergency Management Agency, and Retail Merchants of Hawaii.

Your Committee finds that recent emergencies, including the coronavirus disease 2019 pandemic, have highlighted the importance of clear legal frameworks for state and county emergency management to ensure that the State and counties are ready for any types of emergencies and to align with state and federal processes. Your Committee further finds that emergency management agencies require access to more resources due to rising inflation and the increased scale and cost of emergencies in recent years. Your Committee believes that increasing funds available to address emergencies and improving and further clarifying the legal frameworks for state and county emergency management agencies will improve emergency response efforts.

This measure will allow the Department of Defense, Hawaii Emergency Management Agency, and other state and county emergency management agencies to fulfill their mission of protecting the people of the State by clarifying the scope of the comprehensive emergency management plan, delineating allowable uses of Major Disaster Fund moneys, increasing the amount of the additional funds that may be made available for the purpose of matching federal disaster relief funds from \$5,000,000 to \$10,000,000, shortening the duration of price control periods and the stay on residential tenancy terminations from ninety-six to seventy-two hours, and clarifying that entities other than the National Weather Service may issue warnings that may require the activation of the emergency management system.

Your Committee notes that amendments made by this measure to section 127A-30(c), Hawaii Revised Statutes, may be interpreted to repeal the governor and mayor's authority to specify, through a declaration, the duration of emergency periods to defer the termination of any tenancy for a residential dwelling unit in an area that is subject to an emergency proclamation. Your Committee believes this matter warrants more examination in future deliberations on this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1332 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 (Awa). Excused, none.

**SCRep. 126 (Majority) Public Safety and Intergovernmental and Military Affairs on S.B. No. 922**

The purpose and intent of this measure is to:

- (1) Require a law enforcement officer who observes criminal misconduct by another law enforcement officer to report the criminal misconduct;
- (2) Require passage of a psychological screening test battery to qualify for appointment as a law enforcement officer;
- (3) Subject a law enforcement officer to denial, suspension, or revocation of a law enforcement officer's certification for failure to report observed criminal misconduct or committing an act of criminal misconduct; and
- (4) Prohibit the use of a chokehold by a law enforcement officer unless the use of deadly force is justifiable.

Your Committee received testimony in support of this measure from seven individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department and State of Hawaii Organization of Police Officers.

Your Committee finds that law enforcement services are an essential government function. Your Committee believes that it is in the State's interest to mitigate any future actions of excessive force by law enforcement officers that may lead to unnecessary loss of life or harm. This measure will promote greater accountability and transparency in government's provision of law enforcement services by requiring a law enforcement officer who observes criminal misconduct by another law enforcement officer to report the criminal misconduct; requiring passage of a psychological screening test battery to qualify for appointment as a law enforcement officer; subjecting a law enforcement officer to denial, suspension, or revocation of a law enforcement officer's certification for failure to report observed criminal misconduct or committing an act of criminal misconduct; and prohibiting the use of a chokehold by a law enforcement officer unless the use of deadly force is justifiable.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 922 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, 1 (Awa). Excused, 1 (Fukunaga).

**SCRep. 127 Public Safety and Intergovernmental and Military Affairs on S.B. No. 1099**

The purpose and intent of this measure is to:

- (1) Extend the period in which a county may adopt a surcharge on state tax, under certain conditions;
- (2) Authorize the use of the surcharge revenues for affordable and workforce housing infrastructure; and
- (3) Allow the counties to use surcharge revenues for housing infrastructure, including roadways, water, and sewer.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Maui and two members of the Maui County Council. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that Maui County is the only county in the State that has not adopted a surcharge on state tax. Additionally, the high cost of living in Maui County often prevents residents from purchasing a home. Your Committee believes that a surcharge on state tax would provide much-needed revenue for Maui County to address its affordable housing crisis. This measure will generate funding to increase Maui County's ability to support affordable and workplace housing infrastructure by extending the period in which a county may adopt a surcharge on state tax, under certain conditions; authorizing the use of the surcharge revenues for affordable and workforce housing infrastructure; and allowing the counties to use surcharge revenues for housing infrastructure, including roadways, water, and sewer.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1099 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 (Fukunaga).

**SCRep. 128 Public Safety and Intergovernmental and Military Affairs on S.B. No. 1112**

The purpose and intent of this measure is to:

- (1) Prohibit bans on dwelling unit rentals having a term between one and five months for interisland relocations and temporary workers; and

- (2) Authorize county councils to adopt any ordinances necessary to implement the prohibition by June 30, 2024.

Your Committee received testimony in support of this measure from Keep it Kailua. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that several counties have passed ordinances restricting short term rentals in residential areas to address housing shortages for residents and to promote peace and quiet in residential areas. For example, the most recent ordinance, passed by the Honolulu City Council, requires short term rentals to be for a minimum of ninety days. However, these ordinances restrict residents and local temporary workers from finding affordable places to stay while working on or relocating to other islands. Your Committee believes that county ordinances restricting short term rentals should not negatively impact residents seeking to temporarily stay on other islands while relocating or for temporary employment. This measure will allow residents to continue to work temporarily on other islands and use short-term rentals in residential areas by prohibiting bans on dwelling unit rentals having a term between one and five months for interisland relocations and temporary workers and authorizing county councils to adopt any ordinances necessary to implement the prohibition by June 30, 2024.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1112 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 (Fukunaga).

**SCRep. 129 Public Safety and Intergovernmental and Military Affairs on S.B. No. 1163**

The purpose and intent of this measure is to appropriate funds to support the operational expenses 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, Hawaii Wing of the Civil Air Patrol, The Maritime Group, and one individual.

Your Committee finds that the Civil Air Patrol is a nonprofit organization and an auxiliary of the United States Air Force and its activities 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 to serve communities, save lives, and shape futures. 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 the island of Hawaii to conduct aerial reconnaissance after the eruption of Mauna Loa in December 2022 and provided overflights that allowed for aerial photography to monitor the status of the lava flows and document damage to support a request 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 and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1163 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 (Fukunaga).

**SCRep. 130 Public Safety and Intergovernmental and Military Affairs on S.B. No. 862**

The purpose and intent of this measure is to require each county agency responsible for enforcing its respective building codes to be accredited by the International Accreditation Service.

Your Committee received comments on this measure from the Department of Planning and Permitting of the City and County of Honolulu.

Your Committee finds that the International Accreditation Service provides objective evidence that an organization operates at the highest level of ethical, legal, and technical standards and accredits a wide range of companies and organizations, including governmental entities, commercial businesses, and professional associations. An International Accreditation Service accreditation can result in reduced cost, time savings, and improvement of products and services. Your Committee believes that an accreditation by the International Accreditation Service can enable county building agencies to ensure that its buildings meet the best and most currently accepted standards. This measure will allow county building agencies to improve their processes and incorporate recognized national and international best practices by requiring each county agency responsible for enforcing its respective building codes to be accredited by the International Accreditation Service.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 862 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. 131 Public Safety and Intergovernmental and Military Affairs on S.B. No. 1470**

The purpose and intent of this measure is to:

- (1) Require the Department of Public Safety to install cameras at the Women's Community Correctional Center;
- (2) Require guards to wear functioning body cameras while on duty at the Women's Community Correctional Center; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii Correctional System Oversight Commission, Community Alliance on Prisons, Opportunity Youth Action Hawai'i, and five individuals. Your Committee received comments on this measure from United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that a civil lawsuit in federal court alleged that a group of women at the Women's Community Correctional Center were sexually assaulted at least fifty-three times from 2013 to 2016. A majority of the sexual assault allegedly occurred in the correctional center's control rooms, which lack sufficient security camera coverage. Your Committee believes that additional cameras in control rooms would help deter sexual assaults. This measure will build a defense against future lawsuits and protect inmates from rogue guards by requiring the Department of Public Safety to install cameras at any correctional center that houses women.

Your Committee has amended this measure by:

- (1) Adding language that requires the Department of Public Safety to install digital cameras in all guard control rooms in any correctional center that houses women, not just the Women's Community Correctional Center;
- (2) Deleting language that would have required the Department of Public Safety to require guards to wear functioning body cameras while on duty at the Women's Community Correctional Center;
- (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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1470, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1470, 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. 132 Public Safety and Intergovernmental and Military Affairs on S.B. No. 1161**

The purpose and intent of this measure is to ensure that military personnel, when called to active duty:

- (1) Are paid without delay at the same rate as their active duty counterparts;
- (2) Are entitled to basic allowance for housing; and
- (3) Receive service credit toward public pension and retirement.

Your Committee received testimony in opposition to this measure from the Employees' Retirement System and Department of Defense.

Your Committee finds that military personnel are ordered to active duty in the State during times of disaster, to provide assistance such as helping communities recover from tropical storms and flooding. Your Committee also finds that not all of these men and women who are called to active duty are paid in a timely manner or entitled to basic allowance for housing. Your Committee believes that military personnel, when ordered to active duty in the State, should have access to the same entitlements as their active duty counterparts. This measure will support military personnel serving in the State during times of disaster by ensuring that military personnel are paid without delay and entitled to basic allowance for housing at the same rate as their active duty counterparts.

Your Committee has amended this measure by:

- (1) Deleting language that would have provided service credit for time on active duty in the State and allowed state and county employees to count the time called to active duty in the State toward public pension and retirement;
- (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 and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1161, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1161, 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. 133 (Majority) Public Safety and Intergovernmental and Military Affairs on S.B. No. 1018**

The purpose and intent of this measure is to:

- (1) Require the Governor to ensure continued operation of medical facilities upon declaration of a state of emergency and during times of health or pandemic emergencies; and
- (2) Allow hospitals to suspend elective surgeries during the period of emergency to address the facility's bed capacity.

Your Committee received testimony in support of this measure from the Hawaii Emergency Management Agency. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Healthcare Association of Hawaii and The Queen's Health System.

Your Committee finds that Hawaii's geographic isolation imposes high demands on the local health care system when an emergency occurs. The coronavirus disease 2019 pandemic illustrated the importance of maintaining adequate capacity in Hawaii's health care system during an emergency, whether the emergency is a pandemic or some other incident with the potential to cause casualties who need medical care. Your Committee believes that additional regulations are necessary to ensure continuation of critical health care services during an emergency. This measure will streamline emergency management response and recovery capabilities by requiring the Governor to ensure continued operation of medical facilities upon declaration of a state of emergency and during times of health or pandemic emergencies and allowing hospitals to suspend elective surgeries during the period of emergency to address the facility's bed capacity.

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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1018, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1018, 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, 1 (Awa). Excused, 1 (Fukunaga).

**SCRep. 134 Public Safety and Intergovernmental and Military Affairs on S.B. No. 1059**

The purpose and intent of this measure is to amend the definition of "emergency worker" in the Penal Code to include communications dispatchers.

Your Committee received testimony in support of this measure from the Department of Public Safety; Department of Law Enforcement; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and fifteen individuals.

Your Committee finds that communications dispatchers are presently not considered emergency workers in the Penal Code, specifically chapter 707, Hawaii Revised Statutes, which provides measures to deter the assault of emergency workers during a period of emergency. Despite this, communications dispatchers are required to report to work during hurricanes, pandemics, and other emergency events, much like firefighters and police officers. Additionally, communications dispatchers perform a crucial role during emergencies and must utilize multiple life-saving techniques, procedures, and technologies to obtain critical information from a caller that is experiencing an emergency. Your Committee believes that communications dispatchers perform an invaluable role during emergencies and deserve to be commended for their dedication and contributions. This measure will recognize the efforts of communications dispatchers by amending the definition of "emergency worker" in the Penal Code to include communications dispatchers.

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 and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1059, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1059, 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 (Fukunaga).

**SCRep. 135 Public Safety and Intergovernmental and Military Affairs on S.B. No. 1091**

The purpose and intent of this measure is to allow certain counties to utilize tax revenues collected by the counties for the repair and maintenance of private roads that are open to and used by the public.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of the Attorney General and Tax Foundation of Hawaii.

Your Committee finds that private roads that are currently open to and used by the public are also used by first responders to respond to emergencies and by school buses for the transportation of students to and from school. Your Committee believes that residents and visitors of the State would benefit if county tax revenues were used to improve, repair, and maintain privately owned roads that are currently open to and used by the public. This measure will improve safety for residents and visitors of the State by allowing certain counties to utilize tax revenues collected by the counties for the repair and maintenance of private roads that are open to and used by the public.

Your Committee has amended this measure by clarifying that fuel taxes may be used for private roadways that are open to and used by the public.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1091, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1091, 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 (Fukunaga).



**SCRep. 136 Transportation and Culture and the Arts on S.B. No. 808**

The purpose and intent of this measure is to require the Department of Transportation to amend its administrative rules to repeal any provisions requiring the furnishing of evidence of registration as a condition precedent to receiving a certificate of inspection.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that requiring vehicle owners to present a valid certificate of registration to receive a certificate of inspection creates an arduous three-step process if the owner's certificates of inspection and registration are both expired. The vehicle owner must engage in a back-and-forth process that creates additional traffic on the road, unnecessary complications for the vehicle owner, and extra work for safety inspection stations. Repealing provisions requiring the furnishing of evidence of a motor vehicle's registration will streamline the process for vehicle owners and safety inspection stations while also making Hawaii's roads safer.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 808 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. 137 Transportation and Culture and the Arts on S.B. No. 1086**

The purpose and intent of this measure is to amend the composition and duties of the State Highway Safety Council.

Your Committee received testimony in support of this measure from Ulupono Initiative.

Your Committee finds that the Department of Transportation manages and spends more taxpayer dollars than nearly any other state agency. Most departments of transportation throughout the country have robust mechanisms to ensure funds are best spent, including oversight commissions and regular reporting. Additionally, robust transparency and accountability are necessary to ensure that the State makes meaningful progress on transportation policy and projects. Amending the composition and scope of responsibilities of the State Highway Safety Council will allow the State to establish mechanisms enabling better transparency, accountability, and progress to public policy goals to improve transportation outcomes for all state transportation projects.

Your Committee has amended this measure by:

- (1) Amending the composition of the State Highway Safety Council to include:
  - (A) The Chairperson and Executive Director of the Charter School Commission;
  - (B) The Chairperson of the University of Hawaii at Manoa Department of Urban and Regional Planning;
  - (C) The Co-Chairpersons of the Hawaii Climate Change Mitigation and Adaptation Commission;
  - (D) The Director of the Office of Planning and Sustainable Development;
  - (E) The Chief Energy Officer of the Hawaii State Energy Office;
  - (F) A representative of the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources with expertise in landscaping; and
  - (G) Not more than twelve additional individuals representing specified transportation needs of Hawaii's communities;
- (2) Expanding the State Highway Safety Council's scope of responsibilities to include:
  - (A) Ensuring transparency and oversight in programs, projects, decisions, and spending related to ground transportation;
  - (B) Establishing metrics and benchmarks for the Department of Transportation to ensure progress on certain state goals;
  - (C) Reviewing projects in development and making recommendations for improvements, if warranted, to meet state goals;
  - (D) Providing direction to the Department of Transportation and making recommendations to the Legislature as necessary to achieve certain state goals; and
  - (E) Submitting an annual report to the Department of Transportation on the Council's work, responsibilities, and recommendations;
- (3) Retaining existing Council members in membership slots that align with their respective expertise;
- (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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1086, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1086, 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. 138 (Majority) Transportation and Culture and the Arts on S.B. No. 497**

The purpose and intent of this measure is to:

- (1) Prohibit commercial vehicles weighing ten thousand pounds or more from driving in the left lane on all roadways with two lanes unless the commercial vehicle is able to maintain speed with existing traffic flow and is in the process of passing another vehicle; and
- (2) Prohibit commercial vehicles weighing ten thousand pounds or more from driving in the left lane on all roadways with three or more lanes.

Your Committee received testimony in support to this measure from the Department of Transportation and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Transportation Association. Your Committee received comments on this measure from Department of Transportation Services of the City and County of Honolulu.

Your Committee finds that traffic mitigation is of utmost importance to protecting all road users across the State. The majority of roadways across the State were built prior to current complete street or modern design and access management criteria. Large commercial vehicles occupying the left lane or making last minute lane changes may disrupt the flow of traffic, leading to accidents or injuries of those involved. By reducing the frequency of commercial vehicles occupying the left lane or making last minute lane changes, Hawaii's roadways can become safer for all users.

Your Committee has amended this measure by:

- (1) Providing that the prohibition does not apply to commercial vehicles occupying the left lane to turn left or exit, or preparing to turn left or exit;
- (2) Exempting buses and van pools operated by the counties from the prohibition; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 497, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 497, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 2 (Inouye, Awa). Excused, none.

#### **SCRep. 139 Water and Land on S.B. No. 1389**

The purpose and intent of this measure is to require disclosures for real estate transactions involving oceanfront property of:

- (1) All permitted and unpermitted erosion control structures on the parcel or on state land adjacent to the parcel;
- (2) The annual coastal erosion rates for the zoning lot; and
- (3) The current actual setback of all structures from the shoreline.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; University of Hawai'i System; Hawai'i Reef and Ocean Coalition; and Surfrider Foundation. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that climate change poses immediate and long-term threats to the State's economy, sustainability, and security. Through Act 179, Session Laws of Hawaii 2021, the Legislature recognized the existential threat of sea level rise to real property and required mandatory seller disclosures in real property transactions to indicate that a residential real property lies within the sea level rise exposure area. Your Committee finds that additional protections are needed to ensure that purchasers are prepared for the future challenges and implications of sea level rise and the ancillary effects of coastal erosion, future flooding, inundation, and storm surges. Therefore, this measure requires disclosures for real estate transactions involving oceanfront property of all permitted and unpermitted erosion control structures on the parcel or on state land adjacent to the parcel, the annual coastal erosion rates for the zoning lot, and the current actual setback of all structures from the shoreline.

Your Committee has heard the testimony of the Department of Land and Natural Resources, expressing three concerns with this measure. First, this measure's language requiring that shoreline areas be identified by official tax maps is ambiguous because shoreline areas pursuant to section 205A-41, Hawaii Revised Statutes (HRS), are not identified on official tax maps. Second, this measure's language regarding the disclosure of the annual coastal erosion rates as identified by the Hawaii Shoreline Study web maps should be amended because historical erosion rates are now available through official county databases. Third, the Department of Land and Natural Resources is concerned that requiring sellers to disclose where their shoreline is pursuant to section 205A-1, HRS, may involve hiring a professional surveyor and possibly involving other state agencies, which could be overly burdensome in time and cost for the purposes of real estate transactions.

Therefore, Your Committee has amended this measure by:

- (1) Clarifying that shoreline area disclosures are required for properties adjacent to the shoreline, as opposed to shoreline areas identified by official tax maps;
- (2) Requiring disclosures of the annual coastal erosion rate to be based on the official county databases, instead of the derivative Hawaii Shoreline Study web maps;
- (3) Deleting language that would have required the seller to disclose the distance from the shoreline of all structures on the parcel;
- (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 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. 1389, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1389, 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. 140 Education on S.B. No. 531**

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 language to authorize the School Facilities Authority to appoint an Executive Director and evaluate their performance annually.

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. 531, as amended herein, and recommends that it be recommitted to your Committee on Education, in the form attached hereto as S.B. No. 531, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 141 Commerce and Consumer Protection on S.B. No. 18**

The purpose and intent of this measure is to require domestic and foreign corporations to provide their shareholders with reports of independent expenditures and political contributions.

Your Committee received comments on this measure from Matson Navigation Company, Inc.

Your Committee finds that corporate reporting requirements serve important interests, such as providing shareholders with information, deterring corruption and avoiding any appearance thereof, and gathering the data necessary to enforce more substantive electioneering restrictions. Existing federal and state law currently require corporations to make independent expenditures and political contributions publicly available. However, this information is not provided directly to shareholders but rather is made available on the State of Hawaii Campaign Spending Commission website and the United States Federal Election Commission website. Providing this information directly to shareholders would provide additional scrutiny of compliance with reporting and disclosure requirements. Accordingly, this measure requires domestic and foreign corporations to provide shareholders with reports of independent expenditures and political contributions.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 18, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 18, 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. 142 Labor and Technology on S.B. No. 879**

The purpose and intent of this measure is to appropriate funds for the retention of employees of the Unemployment Insurance Division (Division) of the Department of Labor and Industrial Relations.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and one individual.

Your Committee finds that not only is the Division one hundred percent federally funded, but that the federal funding it receives is counter-cyclical to the volume of services that it provides. Accordingly, as the unemployment rate for the State decreases, so does the federal funds that the Division receives. Your Committee further finds that although the Division has a number of positions, fifteen of these positions currently remain vacant because they are not federally funded. According to testimony from the Division, filling these fifteen positions would retain the specialized institutionalized knowledge necessary to ensure that service levels to the community remain stable as the Division moves forward with its modernization initiative. Your Committee recognizes the concerns that appropriating state funding to the Division may potentially affect the amount of federal funding that the Division receives; however, your Committee also believes that the supplemental funds proposed in this measure could help with the long-term sustainability of the Unemployment Insurance Program.

Your Committee has amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

Your Committee notes that the Senate Draft 1 of this measure contains an unspecified appropriation amount. Should your Committee on Ways and Means choose to deliberate on their measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$1,500,000 for the retention of fifteen federally-unfunded vacant positions necessary to stabilize the program operations of the Unemployment Insurance Division.

As affirmed by the record of votes of the members of your Committee on Labor and Technology 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 Ways and Means.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Ihara, Keith-Agaran).

**SCRep. 143 Water and Land on S.B. No. 1095**

The purpose and intent of this measure is to add to the list of exceptions from the special management area definition of “development” certain activities related to pedestrian and bicycle facilities, trash removal, invasive vegetation control, fencing for invasive species control and native habitat preservation, access devices and utilities, and lighting fixtures at existing public recreation facilities.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, University of Hawai‘i System, and one individual.

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” 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 nor the economic burdens of the rising costs of labor, building materials, and delays that go along with it. Therefore, this measure adds to the list of exceptions from the special management area definition of “development” certain activities related to pedestrian and bicycle facilities, trash removal, invasive vegetation control, fencing for invasive species control and native habitat preservation, access devices and utilities, and lighting fixtures at existing public recreation facilities.

Your Committee has amended this measure by:

- (1) Removing the addition of improvements; construction of pedestrian and bicycle facilities; the placement of barriers for the control of vehicle movement; and removal of fences, walls, or barriers and replacement with gates or other access devices and associated minor improvements for inspection and maintenance of utilities from the list of excepted activities in the definition of “development” within special management areas;
- (2) Specifying that the exception for the installation, maintenance, repair, and replacement of existing lighting, fixtures, and equipment to establish compliance with current standards applies to existing public facilities, not just recreation facilities;
- (3) Adding Hawaiian traditional and customary practices to the list of excepted activities;
- (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. 1095, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1095, 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. 144 Hawaiian Affairs on S.B. No. 1582**

The purpose and intent of this measure is to ensure that the \$600,000,000 appropriated to the Department of Hawaiian Home Lands in Act 279, Session Laws of Hawaii 2022 (Act 279), is available for expenditure until June 30, 2025, as intended.

Your Committee received testimony in support of this measure from the Office of the Governor, Department of Hawaiian Home Lands, Department of Budget and Finance, Office of the Mayor of the County of Maui, Hui Kako‘o ‘Āina Ho‘opulapula, Hawai‘i Alliance for Community-Based Economic Development, and one member from the County Council of the County of Maui. Your Committee received comments on this measure from the Department of the Attorney General and Tax Foundation of Hawaii.

Your Committee finds that Act 279 appropriated \$600,000,000 out of the general revenues of the State of Hawaii to provide a multi-pronged approach to reducing the over twenty-eight thousand applicants on the Department of Hawaiian Homelands waitlist. Your Committee further finds that, while Act 279 stipulated that moneys not encumbered shall lapse to the general fund on June 30, 2025, article VII, section 11, of the Hawaii State Constitution generally requires that no appropriations be made for a period exceeding three years. Thus, Act 279 may be subject to constitutional challenge. Therefore, this measure amends Act 279 in accordance with constitutional requirements to allow for the expenditure of funds until June 30, 2025, as originally provided by the Legislature.

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. 1582 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. 145 (Majority) Judiciary on S.B. No. 1078**

The purpose and intent of this measure is to:

- (1) Establish a statewide electronic citation program under the Judiciary; and

(2) Appropriate funds.

Your Committee received testimony in support of this measure from the Judiciary, Department of Law Enforcement, Department of Transportation, Honolulu Police Department, Hawai'i Police Department, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the use of paper citations 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.

Should your Committee on Ways and Means choose to deliberate on this measure, your committee respectfully requests that it considers inserting an appropriation amount of \$370,000 for the Judiciary's one-time start-up costs. Your Committee also notes that separate funding for the counties may also be needed.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1078 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 (Awa). Excused, none.

**SCRep. 146      Judiciary on S.B. No. 1101**

The purpose and intent of this measure is to conform the state debt limit statements law to include tax increment bonds upon the ratification of a constitutional amendment authorizing the use of such bonds and excluding such bonds from determinations of the counties' funded debt.

Your Committee received testimony in support of this measure from the Department of Transportation and Office of Planning and Sustainable Development. Your Committee received comments on this measure from the Department of the Attorney General and Tax Foundation of Hawaii.

Your Committee finds that tax increment financing is a useful tool to help finance regional public infrastructure to facilitate transit-oriented development on state and private lands. It allows a portion of property taxes in excess of a base assessed value to be dedicated to finance costs of a project through issuance of bonds. This measure will amend the state debt limit statement law to authorize tax increment financing.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1101 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. 147      Judiciary on S.B. No. 400**

The purpose and intent of this measure is to:

- (1) Restrict civil asset forfeiture to cases involving the commission of a felony offense where the property owner has been convicted of an underlying felony offense;
- (2) Direct forfeiture proceeds to the general fund;
- (3) Amend the allowable expenses for moneys in the Criminal Forfeiture Fund;
- (4) Require the Attorney General to adopt rules necessary to carry out the purpose of the Hawaii Omnibus Criminal Forfeiture Act;
- (5) Amend the deadline for the Attorney General to report to the Legislature on the use of the Hawaii Omnibus Criminal Forfeiture Act;
- (6) Limit the transfer of certain forfeiture property to federal agencies; and
- (7) Establish records requirements.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Americans for Democratic Action Hawai'i, Community Alliance on Prisons, Hawaii Health & Harm Reduction Center, Drug Policy Forum of Hawai'i, and four individuals. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Hawai'i Police Department, Office of the Prosecuting Attorney of the County of Hawai'i, Office of the Prosecuting Attorney of the County of Kaua'i, and one individual. Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that Hawaii's civil asset forfeiture process allows law enforcement agencies to seize and keep property based on suspicion that the property is connected to criminal activity. Property, such as vehicles, houses, cash, and jewelry, can be taken without the property owner having been convicted of a crime or even being formally accused of one, and the burden of proof is shifted from the State to the property owner. Your Committee further finds that there is a potential incentive to improperly seize property for forfeiture, as state and county law enforcement agencies are permitted to retain all proceeds from the sale of the seized property if it is

later forfeited. This measure will limit the ability of law enforcement to forfeit seized property and will direct any proceeds to the general fund.

Your Committee has amended this measure by:

- (1) Removing the first sentence from the findings 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 400, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 400, 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 (Elefante). Noes, none. Excused, none.

**SCRep. 148      Judiciary on S.B. No. 482**

The purpose and intent of this measure is to appropriate funds for the Judiciary for the fiscal biennium beginning July 1, 2023, and ending June 30, 2025.

Your Committee received testimony in support of this measure from the Judiciary, Hawai'i Access to Justice Commission, Hawaii State Bar Association, Hawaii State Bar Association Appellate Section, Hawaii State Bar Association Litigation Section, Legal Aid Society of Hawai'i, Volunteer Legal Services Hawai'i, and two individuals.

Your Committee finds that the appropriations made by this measure are intended to assist the Judiciary in its efforts to fulfill its constitutional and statutory duties for the 2023-2025 fiscal biennium.

Your Committee has amended this measure by:

- (1) Increasing the appropriation amount to the Judiciary for fiscal year 2023-2024 by \$5,000,000 for the upgrade and modernization of the elevators at Kaahumanu Hale; and
- (2) Increasing the appropriation amount to the Third Circuit for fiscal year 2023-2024 by \$75,000 to fund the Zero to Three Court.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 482, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 482, 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. 149      (Majority) Judiciary on S.B. No. 1076**

The purpose and intent of this measure is to:

- (1) Require the Office of Elections to prepare a digital voter information guide;
- (2) Require the Office of Elections to post the guide on its website in compliance with certain accessibility standards;
- (3) Require the Office of Elections to mail each ballot with a notice that states a voter information guide may be found on its website; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons, League of Women Voters of 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 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 provide valuable information to registered voters 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 Office of Elections shall provide printed copies of the digital voter information guide for distribution at all public libraries; and
- (2) Specifying that the digital voter information guide shall contain information about mailing deadlines, drop box locations, same day voter registration, accessible voting locations, and opening hours of voter service centers.

Your Committee notes that the Senate Draft 1 of this measure contains an unspecified appropriation amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$143,280. According to the Office of Elections, \$98,280 would be required to fund the program for the primary and \$45,000 would be required to fund the program for the general election.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1076, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1076, 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 (Awa). Excused, none.

**SCRep. 150      Judiciary on S.B. No. 1295**

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, such as counties, to issue tax increment bonds and to exclude tax increment bonds in calculating the debt limit of the political subdivisions.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Transportation; and Office of Planning and Sustainable Development. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that bonds are one method that counties use to finance infrastructure and to support other county functions. Your Committee further finds that tax increment bonds are bonds, the principal of and interest on which are payable from and secured solely by all real property taxes levied by a political subdivision such as a county. This measure enables the counties to issue tax increment bonds to raise revenues.

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. 1295, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1295, 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. 151      Higher Education on S.B. No. 835**

The purpose and intent of this measure is to repeal the requirement that the annual general fund budget appropriation for the University of Hawaii shall be three to five times the estimated regular tuition and related fee revenues for that year.

Your Committee received testimony in opposition to this measure from the University of Hawai'i System.

Your Committee finds that under existing law, the Legislature is mandated to appropriate from the general fund three to five times the amount of regular tuition and related fee revenues estimated for that fiscal year for the University of Hawaii's budget. However, according to information previously submitted by the Department of the Attorney General to the Legislature, this law is unconstitutional, since one Legislature may not bind a successor Legislature with regard to the expenditure of funds. The existing statute merely provides guidance or an expression of intent from a previous Legislature to the current Legislature regarding the general fund appropriation to the University of Hawaii. To clarify the appropriation process and prevent confusion over the Legislature's obligations, this measure repeals the existing statutory provision governing the Legislature's appropriations to the University of Hawaii unenforceable which the Department of the Attorney General has advised to be for constitutional reasons.

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. 835 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 (Fukunaga). Noes, none. Excused, 1 (Kidani).

**SCRep. 152      Higher Education on S.B. No. 631**

The purpose and intent of this measure is to:

- (1) Propose an amendment to the Hawaii State Constitution to modify the appointment process for the Board of Regents of the University of Hawaii; and
- (2) Repeal the requirement that the Governor shall only appoint from pools of candidates presented by the University of Hawaii Board of Regents Candidate Advisory Council.

Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the Board of Regents of the University of Hawai'i System.

Your Committee finds that the Board of Regents of the University of Hawaii guides the policies and trajectory of the University of Hawaii. In 2006, the Board of Regents Candidate Advisory Council was established to select regents through a process similar to the state Judiciary's process for selecting judges and justices. While the Council proved effective at its inception and during periods when a high number of individuals applied, it has proven less effective in recent years when insufficient numbers of applicants have forced the Council to extend application deadlines.

For each vacancy on the Board of Regents, the Candidate Advisory Council is required to submit the names of at least three candidates to the Governor. A lack of applicants may leave the Council no choice but to submit the names of less qualified or unqualified applicants to meet its mandate. To maintain the quality of regents, this measure proposes an amendment to the Hawaii State Constitution to repeal the Board of Regents Candidate Advisory Council, allowing the Governor to directly appoint regents with the advice and consent of the Senate.

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. 631 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 (Kidani).

**SCRep. 153 Higher Education on S.B. No. 960**

The purpose and intent of this measure is to repeal 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.

Your Committee received testimony in opposition to this measure from the University of Hawaii Professional Assembly, Association of Emeritus Regents of the University of Hawaii, and three individuals. Your Committee received comments on this measure from the Board of Regents of the University of Hawai'i System.

Your Committee finds that the Board of Regents of the University of Hawaii guides the policies and trajectory of the University of Hawaii. In 2006, the Board of Regents Candidate Advisory Council was established to select regents through a process similar to the state Judiciary's process for selecting judges and justices. While the Candidate Advisory Council proved effective at its inception and during periods when a high number of individuals applied, it has proven less effective in recent years when insufficient numbers of applicants have forced the Council to extend application deadlines.

For each vacancy on the Board of Regents, the Candidate Advisory Council is required to submit the names of at least three candidates to the Governor. A lack of applicants may leave the Council no choice but to submit the names of less qualified or unqualified applicants to meet its mandate. To maintain the quality of regents, this measure repeals the Board of Regents Candidate Advisory Council, allowing the Governor to directly appoint regents with the advice and consent of the Senate.

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. 960 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 (Kidani).

**SCRep. 154 Higher Education on S.B. No. 249**

The purpose and intent of this measure is to prohibit a person from concurrently serving as:

- (1) President of the University of Hawaii and chancellor of any University of Hawaii campus; and
- (2) Chief Procurement Officer of the University of Hawaii and President of the University of Hawaii.

Your Committee received testimony in support of this measure from 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 serves simultaneously as the Chancellor of the University of Hawaii at Manoa. Serving in both roles leads to inevitable conflicts of interest. Similarly, the President of the University of Hawaii simultaneously serving as the Chief Procurement Officer of the University also leads to conflicts of interest. This measure eliminates these inevitable conflicts of interest by prohibiting the President of the University of Hawaii from serving simultaneously as President and Chancellor, and President and Chief Procurement Officer, respectively.

Your Committee notes Senate Bill No. 1197, Regular Session of 2023, which was additionally heard by your Committee, also removes the President of the University of Hawaii as the Chief Procurement Officer for the University of Hawaii and finds that, for purposes of clarity, Senate Bill No. 1197 is preferable for its stated purpose. Amendments to this measure are therefore necessary to reflect the preferred legislative vehicle to prohibit the President serving as the University of Hawaii's Chief Procurement Officer.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have prohibited the President of the University of Hawaii from serving concurrently as Chief Procurement Officer for the University;
- (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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 249, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 249, 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 (Fukunaga). Noes, none. Excused, 1 (Kidani).

**SCRep. 155 Higher Education on S.B. No. 281**

The purpose and intent of this measure is to establish a state income tax deduction for Hawaii residents making eligible contributions into the HI529-Hawaii's College Savings Program.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Department of the Attorney General, and Tax Foundation of Hawaii.

Your Committee finds that the HI529-Hawaii's College Savings Program assists and encourages individuals and families to save and invest funds for future higher education expenses. Most other states offer a state tax deduction or credit for contributions to state



college savings programs to incentivize participation. As the cost of higher education continues to rise, this measure similarly will help incentivize Hawaii residents to save for higher education through contributions to an HI529 program account.

Your Committee recognizes that not all Hawaii residents make contributions into the HI529 program, but instead may contribute to other state college savings programs. To encourage these residents to continue making contributions, amendments to this measure are necessary to expand eligibility for the proposed state income tax deduction for eligible contributions to any college savings program under section 529 of the Internal Revenue Code. Your Committee further notes the concerns raised in the testimony submitted by the Department of the Attorney General raising constitutional concerns regarding equality of treatment for resident and nonresident taxpayers and therefore finds that amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying the state income tax deduction shall be allowed for eligible contributions made to any college savings program established under section 529 of the Internal Revenue Code of 1986, as amended, rather than exclusively for contributions made to the HI529-Hawaii's College Savings Program;
- (2) Deleting language that would have defined "qualified taxpayer" as a resident of the State;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an unspecified taxable year for which the income tax deduction shall be allowed to commence; 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. 281, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 281, 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 (Kidani).

**SCRep. 156 Higher Education on S.B. No. 1197**

The purpose and intent of this measure is to designate 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 testimony in support of this measure from the Hawaii Regional Council of Carpenters and one individual. 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 serves simultaneously as the Chief Procurement Officer for the University. Across the United States, the vast majority of public higher education institutions differentiate between institutional leadership and purchasing when assigning authority over procurement. Whereas other institutions designate their Chief Financial Officer as Chief Procurement Officer, the University of Hawaii is the only institution of higher learning that concurrently names its President as Chief Procurement Officer.

Your Committee further finds that the President's foremost interests are those of the University, whereas the foremost concern of the Chief Procurement Officer must be ethical public procurement in accordance with the Hawaii Public Procurement Code. The interests of the University may at times come into conflict with ethical public procurement practices, as evinced by the University's renovation of the Clarence T.C. Ching Athletics Complex. Therefore, the President of the University of Hawaii serving simultaneously as the Chief Procurement Officer leads to inevitable conflicts of interest. This measure eliminates these conflicts of interest by designating the Vice President of Budget and Finance and Chief Financial Officer of the University of Hawaii as the Chief Procurement Officer for the University. To effectuate this transfer of duties, an amendment to this measure is necessary to add an appropriation of funds to the University of Hawaii.

Accordingly, your Committee has amended this measure by:

- (1) Inserting an appropriation of an unspecified amount to effectuate the transfer of duties of Chief Procurement Officer for the University of Hawaii;
- (2) Inserting an appropriation of an unspecified amount for repair and maintenance of University of Hawaii campus buildings and infrastructure;
- (3) Amending section 1 to reflect its amended purpose;
- (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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1197, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1197, 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 (Fukunaga). Noes, none. Excused, 1 (Kidani).

**SCRep. 157 Higher Education on S.B. No. 547**

The purpose and intent of this measure is to amend the law relating to the Board of Regents.

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 that requires the University of Hawaii's Board of Regents to approve by majority vote any designee selected to serve or participate for the Board of Regents' Chairperson as a voting or nonvoting member of any legislatively established board, commission, working group, or task force.

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. 547, as amended herein, and recommends that it be recommitted to your Committee on Higher Education, in the form attached hereto as S.B. No. 547, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 158 Government Operations on S.B. No. 299**

The purpose and intent of this measure is to authorize the Legislature to specify the form for which the proposed budgets of the executive branch, judiciary branch, and Office of Hawaiian Affairs are submitted to the Legislature.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that legislative staff spends critical time transcribing the proposed budgets from various departments and agencies into a cohesive document for public review. Your Committee also finds that this time could be efficiently utilized to analyze and contextualize individual proposed budget requests if submitted in a standardized format.

Your Committee has amended this measure by:

- (1) Requiring the executive branch, judiciary branch, and Office of Hawaiian Affairs to conform to this measure no later than December 1, 2023;
- (2) Inserting an effective date of July 1, 2112, 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 Budget and Finance expressing concerns that changes to these reports may require a substantial time to reprogram the State's mainframe and the Department of Budget and Finance's budget eSystems. Should your Committee on Ways and Means choose to hear this measure, your Committee on Government Operations requests that they deliberate further on an exact date of transfer to the new budgeting system that would allow the departments to comply with this measure.

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. 299, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 299, 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 (Wakai).

**SCRep. 159 Government Operations on S.B. No. 306**

The purpose and intent of this measure is to require all Hawaii Administrative Rules to be made available on the Office of the Lieutenant Governor's internet website.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor, State of Hawaii Organization of Police Officers, League of Women Voters of Hawaii, and one individual.

Your Committee finds that an attempt to locate Hawaii Administrative Rules can be cumbersome. Your Committee further finds that a centralized location with digitally accessible files will provide ease of access for stakeholders and make the files compatible with the assistive technology required to access the documents for individuals with impairments.

Your Committee has amended this measure by:

- (1) Inserting language requiring that the text of rules and written statements be in a digitally accessible and searchable format;
- (2) Requiring that proposed rules be made available in a digitally accessible and searchable format;
- (3) Inserting language requiring all state agencies to provide full text of rules;
- (4) Requiring that the Office of the Lieutenant Governor submit a report on implementation and long-range plans for expansion and cross-referencing of the centralization of the full text of the Hawaii Administrative Rules on its website;
- (5) Appropriating an unspecified amount for two full-time equivalent positions within the Office of the Lieutenant Governor;
- (6) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee has heard the testimony of the Office of the Lieutenant Governor expressing concerns that the new website components would require funding for positions to build and oversee the multitude of updates. 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 testifiers should it choose to deliberate on this measure.

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. 306, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 306, 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. 160      Agriculture and Environment on S.B. No. 652**

The purpose and intent of this measure is to appropriate moneys to the Department of Agriculture for the control and mitigation of two-lined spittlebug populations in Hawaii and recovery efforts for lands damaged.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Department of Agriculture; University of Hawai'i System; McCandless Ranch; Hawaii Cattlemen's Council, Inc.; Land Use Research Foundation of Hawaii; Hawai'i Farm Bureau; Larry Jefts Farms, LLC; Ulupono Initiative; Maui County Farm Bureau; Ponoholo Ranch Limited; Parker Ranch; Hawai'i Forest Industry Association; and nine individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that two-lined spittlebug infestations in Hawaii have been shown to dramatically reduce the forage quantity and quality of field pastures. High densities of the two-lined spittlebug can result in almost one hundred percent dieback of pasture grasses that are crucial resources for the grazing of livestock. Your Committee further finds that the prevalence of the two-lined spittlebug is spreading rapidly, threatening economic sustainability in Hawaii's livestock industry, and inhibiting the island's communities through decreased revenues and the hampering of food security in the State. This measure appropriates funds to the Department of Agriculture for the control and mitigation of the two-lined spittlebug and to fund recovery efforts of lands damaged 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 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, 4. Noes, none. Excused, 1 (DeCoite).

**SCRep. 161      (Majority) Agriculture and Environment on S.B. No. 682**

The purpose and intent of this measure is to prohibit the sale, offer for sale, display for sale, trade, or distribution of certain animal fur products in the State.

Your Committee received testimony in support of this measure from The Human Society of the United States, Hawaii Island Humane Society, Kaua'i Humane Society, Environmental Caucus of the Democratic Party of Hawai'i, Animal Rights Hawai'i, and thirteen individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii and Natural Fibers Alliance.

Your Committee finds that every year, more than 100,000,000 farm-raised animals, mostly foxes, mink and chinchillas, are killed for their fur. While many of these cruel and crowded factory farms exist outside of the United States, Americans and residents of other wealthy nations contribute vastly to the substantial global demand that incentivizes the industrialized mass slaughter of animals for their furs. Your Committee additionally finds that the awful conditions of these fur farms have been linked to the spread of disease and viruses, which may be transmitted to the human population. Thus, this measure prohibits the trade of certain animal fur products in the State to curtail global industry demand for these cruel and environmentally harmful products, promote community awareness of industry-animal welfare, and to enhance the reputation of 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. 682 and recommends that it pass Second Reading 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, 3. Noes, 1 (Awa). Excused, 1 (DeCoite).

**SCRep. 162      Agriculture and Environment on S.B. No. 743**

The purpose and intent of this measure is to:

- (1) Extend the sunset date for the Coffee Berry Borer Pesticide Subsidy Program to June 30, 2025, and the program manager position, including the position's civil service and collective bargaining laws exemption, to June 30, 2026;
- (2) Require the Department of Agriculture to report to the Legislature; and
- (3) Appropriate funds for the operation and implementation of the Pesticide Subsidy Program.

Your Committee received testimony in support of this measure from the Department of Agriculture, University of Hawai'i System, Hawai'i Farm Bureau, Hawaii Coffee Association, Maui County Farm Bureau, Kona Coffee Farmers Association, Kanalani Ohana Farm, and two individuals. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that the coffee berry borer (*Hypothenemus hampei*) is a significant coffee plant pest in Hawaii that impedes the production of coffee farms and threatens the economic well-being of small farmers in the State. Your Committee recognizes that the extension of the Coffee Berry Borer Pesticide Subsidy Program and program manager position will allow the Department of Agriculture to continue to support coffee farmers by partially offsetting the costs of purchasing certain pesticides and fungicides in order to control coffee berry borer populations and limit the spread of coffee leaf rust. This measure extends this program to June 30,

2025; extends the pesticide subsidy manager position until June 30, 2026; and appropriates additional funds for the program and position.

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. 743 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 (DeCoite).

**SCRep. 163 (Majority) Agriculture and Environment on S.B. No. 748**

The purpose and intent of this measure is to appropriate funds for the construction and operation of non-chemical sunscreen dispensers on all state beaches to alleviate the damaging effects of chemical-based sunscreen on reef ecosystems.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Activities and Attractions Association of Hawaii, Inc.; Environmental Caucus of the Democratic Party of Hawai'i; The Kohala Center; Friends of Hanauma Bay; Hawai'i Reef and Ocean Coalition; Big Island Reef Keepers Hui; and eight individuals. Your Committee received comments on this measure from Public Access to SunScreens Coalition.

Your Committee finds that the reduced use of sunscreens containing certain chemicals would benefit the health and resilience of Hawaii's coral reef ecosystems. Your Committee believes that following the relative success of a mineral sunscreen dispenser installed for beachgoers at the Waialae section of Hapuna State Recreation Area on the west side of Hawaii island, the State can benefit from installing similar dispensers on all state beaches to decrease the amount of chemicals entering marine waters that adversely impact Hawaii's reef ecosystem. This measure expands the installation of mineral-based sunscreen dispensers to all state beaches and authorizes the Department of Land and Natural Resources to contract with private parties to assist in the maintenance and management of the dispensers as they see fit.

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. 748 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 (Richards). Noes, 1 (Awa). Excused, 1 (DeCoite).

**SCRep. 164 Agriculture and Environment on S.B. No. 967**

The purpose and intent of this measure is to establish an Organic Foods Production Tax Credit for farmers investing in the organic certification process.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawai'i Alliance for Progressive Action; Wakefield and Sons, Inc.; Kane Plantation Avocados; Environmental Caucus of the Democratic Party of Hawai'i; Rancho Aloha; Hawaii Environmental Change Agents Carbon Sequestration Task Force; Kauai Climate Action Coalition; CleanEarth4Kids.org; Hawai'i Farmers Union United; and forty-two individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that providing support to Hawaii's organic agriculture industry can help reduce reliance on organic agricultural imports and provide assistance to small organic farmers in the State. Your Committee additionally finds that organic farming practices enhance the environmental health of Hawaii by improving soil fertility and structure, sequestering carbon from the atmosphere, promoting biodiversity, and reducing human, animal, and environmental exposure to toxic chemicals. Your Committee believes that reducing the burden on the increasing number of small organic farmers seeking costly and lengthy organic certifications and inspections will help to promote the production and availability of locally-grown organic food in the State. By easing the costly burdens of the certification process, organic producers in Hawaii can more advantageously compete with the organic imports that dominate local markets and enjoy the price premiums afforded to them by the "certified organic" food label. This measure reestablishes the 2016 Organic Food Production Tax Credit that expired in 2021 and supports farmers, ranchers, and producers seeking to obtain organic certification by reimbursing costs invested into the economically burdensome certification 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 S.B. No. 967 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 (Richards). Noes, none. Excused, 1 (DeCoite).

**SCRep. 165 Agriculture and Environment on S.B. No. 998**

The purpose and intent of this measure is to:

- (1) Establish a Spay and Neuter Special Fund;
- (2) Allow funds from an income tax check-off to be deposited into the Spay and Neuter Special Fund; and
- (3) Establish an advisory committee to help establish eligibility criteria and procedures for disbursements from the special fund, prioritizing funding to organizations that specialize in Trap-Neuter-Release.

Your Committee received testimony in support of this measure from the Alley Cat Allies, Animal Rights Hawaii, Cat People of Oahu, Hawai'i Reef and Ocean Coalition, PETFIX Spay and Neuter, Hawaiian Humane Society, CAT-CARE, Pono Advocacy, Poi Dogs and Popoki, Cat Friends, Hawaii Cat Foundation, Animal Interfaith Alliance in Britain, Aloha Kitty TNR, Kaua'i Humane

Society, Environmental Caucus of the Democratic Party of Hawai'i, and one hundred forty-three individuals. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance, American Bird Conservancy, Kauai Albatross Network, Friends of Kaua'i Wildlife Refuges, and twenty-four individuals. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that free-roaming-cat overpopulation is a persistent issue in the State. The greatest cause for concern is that these cats hunt and kill native and endangered bird populations, and it is estimated that three out of four stray cats carry a disease called toxoplasmosis, which is caused by a parasite called *Toxoplasma gondii* that can spread to humans and other animals. Toxoplasmosis spores survive as they are excreted through cat feces and wash into the ocean with runoff, spreading the disease to endangered Hawaiian monk seals and other marine life. Your Committee additionally finds that spaying and neutering can help to manage and reduce the overpopulation of feral cats in the State, thereby reducing the consequences related to these cats. Thus, this measure establishes and appropriates funds for a Spay and Neuter Special Fund, and establishes an advisory committee to establish eligibility criteria and procedures to prioritize funding to organizations that specialize in Trap-Neuter-Release practices.

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. 998 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 (Richards). Noes, none. Excused, 1 (DeCoite).

**SCRep. 166 (Majority) Agriculture and Environment on S.B. No. 1011**

The purpose and intent of this measure is to:

- (1) Require monthly rather than annual reporting of restricted use pesticides;
- (2) Amend the contents of reports to include specific geospatial data and information, site information, and increased detail on the amount of restricted use pesticides used; and
- (3) Require the Department of Agriculture to develop an online reporting tool for restricted use pesticides.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Pono Hawaii Initiative, Hawai'i Alliance for Progressive Action, HULI PAC, Hawai'i Reef Ocean Coalition, Pesticide Action Network, Hawai'i SEED, CleanEarth4Kids.org, Hanai Hives, and sixty-three individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture, Western Plant Health, CropLife America, and one individual. Your Committee received comments on this measure from the Hawaii Crop Improvement Association, Western Wood Preservers Institute, Hawai'i Farm Bureau, and one individual.

Your Committee finds that pesticide exposure can cause significant harm to public health and the environment and that pesticides deemed by the State as Restricted Use Pesticides have an especially high potential to cause harm. Your Committee additionally finds that reporting for restricted use pesticides use data in Hawaii has only recently become available and that the quality of this reporting is so low and infrequent that it takes considerable effort for interested parties to make sense and use of the resulting data. Thus, this measure makes important updates to the quality and frequency required of restricted use pesticides reporting by the Department of Agriculture to aid in the ongoing effort to better understand the effects of these chemicals on the environment and public health.

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. 1011 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, 3. Noes, 1 (Richards). Excused, 1 (DeCoite).

**SCRep. 167 Agriculture and Environment on S.B. No. 1223**

The purpose and intent of this measure is to authorize a new issuance of special purpose revenue bonds in the amount of \$30,000,000, to assist MauiGrown Coffee, 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 Distributors, LLC; Maui County Farm Bureau; and Hawai'i Farm Bureau. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that coffee plants grown by MauiGrown Coffee, Inc. on former Pioneer Mill sugarcane lands are now established, and unique local varietals such as their Maui Mokka coffee variety have become well-known for their quality. The MauiGrown Coffee, Inc. operation has proven to be a successful example of agriculture providing an economic engine that boosts and grows Hawaii's economy. Your Committee additionally finds that special purpose revenue bonds were previously authorized for MauiGrown Coffee, Inc. through Act 116, Session Laws of Hawaii 2017, which expired in 2022, and that the coronavirus disease 2019 pandemic seriously delayed the dispersal of these funds. This measure revises and updates the special purpose revenue bond authorization from 2017 to authorize a new issuance of bonds that will continue to support the development of new infrastructure at MauiGrown Coffee, Inc.

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. 1223 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 (DeCoite).

**SCRep. 168 Agriculture and Environment on S.B. No. 1456**

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds to assist Honoka'a Land Company, LLC, with acquiring, developing, and renovating agricultural facilities.

Your Committee received testimony in support of this measure from the Department of Agriculture and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Department of the Attorney General.

Your Committee finds that establishing a flourishing and self-reliant agriculture sector in Hawaii is in the interest of the public and the State. Your Committee acknowledges that the Honoka'a Land Company, LLC, has several agricultural initiatives in need of funding that can benefit Hawaii's agricultural sector. Among these include the rebuilding of structures for a soil and earth products business based at Haina Mill that markets an array of agricultural soil amendment products. Fertilizer costs have doubled over the years, and these types of products are highly sought after locally, since shipments from the mainland and elsewhere can take a long time to arrive and farmers are bound by stringent planting schedules. Furthermore, Honoka'a Land Company, LLC, has a plan to develop and construct workforce housing for its laborers as well as in other agricultural regions in Hawaii, which is also desperately desired by local farmers. Other initiatives include the purchase of an agriculture consulting and research development firm and farm to serve as a research and development facility and the acquiring or building of organic dairies and green and renewable energy facilities. Thus, this measure authorizes the issuance of special purpose revenue bonds to assist Honoka'a Land Company, LLC, with acquiring, developing, and renovating various facilities that will ultimately benefit and support the State's agricultural sector.

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. 1456 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 (DeCoite).

**SCRep. 169 Agriculture and Environment on S.B. No. 1457**

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds to assist Kohala Mountain Fish Company, LLC, for the establishment of The Village project.

Your Committee received testimony in support of this measure from the Department of Agriculture, Ulupono Initiative, 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 and Department of the Attorney General.

Your Committee finds that establishing a flourishing and self-reliant localized agriculture sector in Hawaii is in the interest of the public and the State. Your Committee acknowledges that the Kohala Mountain Fish Company, LLC, has an agricultural initiative called The Village, which is envisioned as a diversified agricultural park and processing facility on Hawaii island that produces, packages, cooks, and freezes products year round for both local consumption and value added export. Furthermore, The Village project will provide local farmers with resources for hands-on education and training, processing and packaging, distribution, and workforce housing. This measure authorizes the issuance of special purpose revenue bonds to assist Kohala Mountain Fish Company, LLC, in realizing its project vision and establishing The Village, which will ultimately benefit and support Hawaii's burgeoning agriculture sector.

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. 1457 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 (DeCoite).

**SCRep. 170 Agriculture and Environment on S.B. No. 1499**

The purpose and intent of this measure is to:

- (1) Exempt income derived from the business of taro cultivation or production of taro products from the state income tax; and
- (2) Exempt from the general excise tax the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Alliance for Progressive Action, Kua'aina Ulu 'Auamo, Ko'olau Foundation, CleanEarth4Kids.org, Hawai'i Farm Bureau, and thirty-two individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that taro farmers in the State face a myriad of challenges from the expensive and labor intensive processing of taro to poi, to the high cost of land and increasingly unpredictable weather conditions due to climate change. Your Committee acknowledges that the occurrence of taro farming has been on the decline for decades due to these mounting challenges and taro farmers only continue to struggle to survive and sustain their operations in the State. Your Committee further finds that the State has more recently pivoted its focus to the issue of food security and agricultural self-reliance in Hawaii and now finds tremendous potential in the taro plant beyond its cultural and traditional value. Thus, this measure supports the taro farmer in Hawaii by creating economic incentives to protect the Hawaiian traditions of taro and taro farming, to encourage new taro farming, improve the livelihoods of existing taro farmers, and reduce the cost of poi and other taro-based foods for local families by exempting income and gross proceeds related to taro production and direct sales from the income and general excise taxes, respectively.

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. 1499 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 (DeCoite).

**SCRep. 171 Water and Land on S.B. No. 79**

The purpose and intent of this measure is to:

- (1) Repeal the requirement for Board of Land and Natural Resources approval for lease extensions in the Hilo Community Economic District;
- (2) Require the Department of Land and Natural Resources to use the current tax assessed value when offering lease extensions to lessees; and
- (3) Require all applications to the Department of Land and Natural Resources for an extension of fixed rental periods or lease terms to be made within one hundred eighty days and confirm lease extensions.

Your Committee received testimony in support of this measure from McCully Works, Hilo Fish Company, 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 finds that as the majority landowner in East Hawaii, the State has an enormous influence on the vision, economic development, and overall success of the East Hawaii community.

Your Committee further finds that under existing laws, many public land lessees face uncertain futures following the expiration of their leases. Lessees face difficulties in renegotiating leases with the Board of Land and Natural Resources and are further constrained by the lengthy process to achieve approval from the Board to conduct minor maintenance projects or renovations. As a result, the infrastructure and facilities on public lands in East Hawaii have been deteriorating in many locations.

Therefore, this measure repeals the requirement for Board of Land and Natural Resources approval for lease extensions in the Hilo Community Economic District; requires the Department of Land and Natural Resources to use the current tax assessed value when offering lease extensions to lessees; and requires all applications to the Department of Land and Natural Resources for an extension of fixed rental periods or lease terms to be made within one hundred eighty days and confirm lease extensions.

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. 79, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 79, 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 (Elefante). Noes, none. Excused, none.

**SCRep. 172 (Majority) Water and Land on S.B. No. 82**

The purpose and intent of this measure is to limit the discretion of the Department of Land and Natural Resources' Land Division by requiring the Board of Land and Natural Resources to approve all revoked, limited, condemned, removed, or modified public land leases or revocable permits.

Your Committee received testimony in support of this measure from the Maui County Farm Bureau. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that to effectively manage public lands, oversight of how the lands are used is necessary to ensure that Hawaii's people thrive. Your Committee further finds that the Department of Land and Natural Resources' Land Division has significant discretion to revoke, limit, remove, or modify leases granted by the Department, issue condemnations, and rescind revocable permits without prior approval from the Board of Land and Natural Resources. Your Committee believes that enhanced review of public land leases and revocable permits would allow the State to ensure that the use of public lands best benefits Hawaii's people. Therefore, this measure limits the discretion of the Department of Land and Natural Resources' Land Division by requiring the Board of Land and Natural Resources to approve all revoked, limited, condemned, removed, or modified public land leases or revocable permits.

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. 82, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 82, 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 (Elefante). Noes, 1 (Fevella). Excused, none.

**SCRep. 173 Water and Land on S.B. No. 97**

The purpose and intent of this measure is to clarify that:

- (1) The Board of Land and Natural Resources shall not unilaterally amend the terms and conditions of any lease of public lands being extended pursuant to Act 149, Session Laws of Hawaii 2018, except as otherwise provided in part X of chapter 171, Hawaii Revised Statutes; and
- (2) If the Board of Land and Natural Resources wishes to amend the terms and conditions of any lease of public lands being extended to reflect the Board's most current lease form and leasing practices and policies, such lease form and leasing practices and policies must be included in the rules of the Board.

Your Committee received testimony in support of this measure from McCully Works, Hilo Fish Company, and one individual. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that Act 149, Session Laws of Hawaii 2018 (Act 149), established a ten-year pilot project to authorize the Board of Land and Natural Resources to extend leases of public lands in the Hilo Community Economic District for the purpose of facilitating improvement and economic opportunity in the area for lessees who commit to making substantial improvements or construct new substantial improvements.

Your Committee further finds that missing from Act 149 is language that expressly allows the Board of Land and Natural Resources to unilaterally amend any terms and conditions of the extended leases to conform to the most current lease form and leasing practices and policies of the Board. However, your Committee finds that despite the foregoing, the Board of Land and Natural Resources has been approving extensions of leases pursuant to Act 149 by amending the lease terms and conditions to conform to the Board's most current lease form and leasing practices and policies. Therefore, this measure clarifies that the Board of Land and Natural Resources shall not unilaterally amend the terms and conditions of any lease of public lands being extended pursuant to Act 149 and that if the Board wishes to amend the terms and conditions of any lease to reflect the Board's most current lease form and leasing practices and policies, such lease form and leasing practices and policies must be included in the rules of the Board.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Land and Natural Resources shall not use the Board's promulgation of rules based on the most current lease form, leasing practices, and policies, as a reason for delay and shall continue to process applications for development agreements and lease extensions while the Board promulgates and approves its rules;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion, and deleting the proposed repeal date of June 30, 2028; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Should your Committees on Judiciary and Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting a repeal date of June 30, 2028, for consistency with the sunset date of Act 149.

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. 97, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 97, 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 (Elefante). Noes, none. Excused, none.

**SCRep. 174 Water and Land on S.B. No. 417**

The purpose and intent of this measure is to establish a Hawaii Near Shore Waters Quality Program to monitor and test for the quality of waters near coral reefs to assess and ensure the health of reef ecosystems.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, Hawaii Reef and Ocean Coalition, and two individuals.

Your Committee finds that coral reefs provide habitat for nearshore fisheries, protect coasts from waves and storms, and support tourism and fishing industries. In a recent report by the United States Geological Survey, Hawaii's coral reefs were valued at \$863,000,000 per year. Your Committee further finds, however, that Hawaii's coral reefs have experienced bleaching events due to, among other causes, the temperature effects of climate change, population density, increased coastal development, land-based sources of pollution, increased sediments in the water, damage by tourists and divers, poor water quality from runoff, and sewage treatment. Your Committee finds that it is necessary to take action to protect and care for the ecological health of Hawaii's coral reefs. Therefore, this measure establishes a Hawaii Near Shore Waters Quality Program to monitor and test for the quality of waters near coral reefs to assess and ensure the health of reef ecosystems.

Your Committee has heard the testimony of the Department of Land and Natural Resources, expressing concerns that a program consistent with this measure would need to be built from the ground up and thus require a large investment of resources for staff, facilities, and training. The Department of Land and Natural Resources testified that while they are supportive of expanding water quality monitoring for coral reef health, the necessary first step is to commission a study and technical report to discover what is currently known, to identify the most useful measurement parameters, and recommend sampling frequency and locations.

Therefore, your Committee has amended this measure by:

- (1) Deleting the proposed requirement that the Department of Land and Natural Resources establish a Hawaii Near Shore Waters Quality Program, including language establishing the proposed program's requirements;
- (2) Requiring the Department of Land and Natural Resources, in consultation with the Department of Health, to prepare a study and submit a technical report to the Legislature prior to the Regular Session of 2025;
- (3) Inserting language establishing the scope and requirements of the report to be submitted to the Legislature;



- (4) Appropriating an unspecified amount for fiscal year 2023-2024 for preparation of the report; 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. 417, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 417, 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. 175 Water and Land on S.B. No. 1028**

The purpose and intent of this measure is to:

- (1) Require, beginning from January 1, 2024, rental kayaks to be registered and numbered with the Department of Land and Natural Resources and have the identification number affixed to the rental kayak; and
- (2) Require the Department of Land and Natural Resources to establish fees for registration and registration renewals of rental kayaks.

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 rental kayaks are a popular ocean recreational activity, especially with tourists. Your Committee further finds that an unmanaged proliferation of commercial rental kayaks and illegal commercial rentals can adversely impact marine life and cultural resources in Hawaii's near shore waters.

Your Committee also finds that as commercial rental kayaks have become increasingly popular with tourists, they have been the cause of much concern to residents and Native Hawaiian communities. Your Committee further finds that currently, a lack of a decal requirement for commercial kayaks makes it difficult for conservation enforcement officers to distinguish between personal use kayaks, commercial tour operators, and rental companies. Therefore, this measure requires that rental kayaks be registered and numbered with the Department of Land and Natural Resources and allows the Department to establish fees for registration processing.

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.

Should your Committees on Commerce and Consumer Protection and Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider further examining your Committee's recommendation that a visible decal sticker system be implemented.

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. 1028, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1028, 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. 176 Water and Land on S.B. No. 1068**

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 beach and shoreline restoration and conservation plan.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, Department of Land and Natural Resources, University of Hawai'i System, Hawaii Climate Change Mitigation and Adaptation Commission, and Hawaii State Aha Moku.

Your Committee finds that Hawaii's internationally-recognized beaches and shoreline areas are invaluable public resources. Your Committee also finds, however, that these beaches and shoreline areas are at risk from sea level rise, coastal erosion, storm surges, and flooding associated with climate change. Therefore, in order to understand and protect these natural resources, this measure requires the Office of Planning and Sustainable Development to develop a statewide beach assessment study and a beach and shoreline restoration and conservation plan.

Your Committee has heard the testimony of the Office of Planning and Sustainable Development, requesting that the language requiring a study and plan be amended to align more closely with the existing framework of section 226-11, Hawaii Revised Statutes, which exists as a statutory statement of objectives and policies for the physical environment adopted by the Legislature. The Office of Planning and Sustainable Development did note in its testimony that it supports the intent of this measure and that its Coastal Zone Management Program recently received funding for an initiative that will contribute towards actualizing the intent of this measure.

Your Committee also heard the testimony of the Hawaii State Aha Moku, requesting that the State adopt, as part of its objectives and policies, the pursuit of compatible relationships among activities, facilities, Native Hawaiian traditional practices, and natural resources.

Therefore, your Committee has amended this measure by:

- (1) Amending the proposed language that would have required the Office of Planning and Sustainable Development to develop a study and beach and shoreline restoration plan, to instead adopt, as part of the State's objectives and policies, the promotion of a statewide beach assessment study and shoreline restoration and conservation;
- (2) Adding language that makes it a state planning objective and policy to pursue compatible relationships among activities, facilities, Native Hawaiian traditional practices, and natural resources; 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. 1068, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1068, 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. 177 Water and Land on S.B. No. 1265**

The purpose and intent of this measure is to:

- (1) Prohibit commercial ocean use activity in Kaneohe Bay waters without a permit; and
- (2) Prohibit any person from advertising any commercial ocean use activity in Kaneohe Bay waters for which the person does not have a permit, lease, or license.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku, Ko'olaupoko Hawaiian Civic Club, Hawaiian Civic Club of Honolulu, Ko'olau Foundation, Hawaii Reef and Ocean Coalition, and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that Kaneohe Bay, including Ahu o Laka, known as the sandbar, has a rich cultural history and is sacred to the Native Hawaiian people. However, your Committee finds that the over-commercialization of Kaneohe Bay has been unnaturally encouraged by social media and through unpermitted tour operators who advertise and operate without regard for rules, regulations, and cultural awareness. Consequently, online advertising and social media has increased the number of illegally parked private and rental vehicles at Heeia Boat Harbor and along both sides of Kamehameha Highway, creating traffic and unsafe crossing situations.

Your Committee further finds that the Kaneohe Bay master plan developed pursuant to Act 208, Session Laws of Hawaii 1990 (Act 208), established a framework for the sustainable management of Kaneohe Bay's natural resources while accommodating for a variety of uses. Your Committee finds that action is necessary to ensure that the vision of Act 208 is carried out and maintained for Kaneohe Bay's continued preservation and protection, and for its use and enjoyment of all. Therefore, this measure updates the law regarding restricted activities in Kaneohe Bay.

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. 1265, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1265, 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. 178 Higher Education on S.B. No. 959**

The purpose and intent of this measure is to appropriate funds to the University of Hawaii Pamantasan Council to expand its capacity to support educational equity for Filipinos and other populations underrepresented in higher education.

Your Committee received testimony in support of this measure from the University of Hawaii Pamantasan Council Executive Committee; Hawaii Friends of Civil Rights; Sariling Gawa Youth Council; Samahang Filipino Club of Hawai'i Community College; National Alliance for Knowledge, Empowerment, and Meaning; and sixteen individuals.

Your Committee finds that while there have been significant increases in the representation and success of Filipino students, faculty, and staff within the University of Hawai'i System, Filipino Americans continue to be underrepresented as undergraduate students (14.1 per cent) in comparison to the proportion of Filipino American public school students (23.7 per cent) in Hawaii, among which Filipino Americans represent the largest ethnic group. The University of Hawaii Pamantasan Council helps to address this underrepresentation of Filipinos within higher education through curriculum development, programming, and support services.

Your Committee also finds that the University of Hawaii Pamantasan Council does not limit its activities to individuals of Filipino descent. The Council actively supports and engages in outreach to other populations also underrepresented in higher education, such as individuals of Micronesian descent. Despite the Council's wide reach, the Pamantasan Council depends upon volunteers, limiting its capacity to serve the entire University of Hawai'i System. To expand the Council's capacity to support educational equity for Filipinos and other underrepresented populations in higher education, this measure appropriates funds for three Academic and Support Services Specialists for the University of Hawaii Pamantasan Council to continue to support the University's goals of equity and inclusion.

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. 959 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. 179 Higher Education on S.B. No. 236**

The purpose and intent of this measure is to:

- (1) Expand the victim-counselor privilege under the Hawaii Rules of Evidence to include confidential advocates employed by the University of Hawaii; and
- (2) Increase the minimum number of hours of training a domestic violence victims' counselor must complete to be considered a victim counselor.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawai'i Pacific Health Sex Abuse Treatment Center, Hawai'i State Coalition Against Domestic Violence, Every Voice Coalition Hawai'i, Democratic Party of Hawai'i Women's Caucus, American Association of University Women of Hawaii, Hawai'i Health & Harm Reduction Center, Democratic Party of Hawai'i Education Caucus, Imua Alliance, and eight individuals.

Your Committee finds that the University of Hawaii is mandated by law 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. Despite this mandate, the law fails to provide a mechanism to provide confidentiality to students and employees seeking these campus-based services. According to a 2021 report conducted by the University of Hawaii, over twenty percent of students who experienced sexual misconduct and did not seek help through the University chose not to seek help because they feared their experiences would not be kept confidential, which for many led to reduced academic performance. To protect victims and encourage them to seek support, this measure expands the victim-counselor privilege to include confidential advocates, ensuring victims' communications are afforded the same legal privilege of confidentiality status as those made to community advocates and service providers. Additionally, Hawaii has one of the lowest requirements in the nation with regard to the minimum number of training hours that domestic violence advocates must complete. This measure brings Hawaii into parity with the majority of other states that require an average of thirty-five hours to better prepare advocates to work with domestic violence survivors.

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. 236 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. 180 (Majority) Housing on S.B. No. 764**

The purpose and intent of this measure is to:

- (1) Allow a bank to invest, in aggregate, up to two percent of the bank's total assets in certain entities that are formed to invest in affordable housing residential properties; and
- (2) Require banks to obtain approval from the Commissioner of Financial Institutions to invest, in aggregate, over two percent of the bank's total assets in certain entities that are formed to invest in affordable housing residential properties.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that there is a need to address the shortage of affordable residential housing in the State. This measure encourages the financing of affordable residential housing projects.

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. 764 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 (Awa). Excused, none.

**SCRep. 181 Housing on S.B. No. 999**

The purpose and intent of this measure is to appropriate funds to the Hawaii Public Housing Authority for the modernization of two hundred and eight dwelling units at Hale Poai, a public elderly housing property located within the City and County of Honolulu.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority.

Your Committee finds that Hale Poai is a state elderly public housing property that has a date of initial occupancy of June 1, 1989, and is currently undergoing a five-year, major modernization project. The modernization project includes site work, community space, plumbing systems, complete unit work, and converting four studios to be compliant with the Americans with Disabilities Act. According to testimony received by your Committee, the appropriation will be used for construction management services to ensure that all construction work for this modernization project is performed expeditiously and within the five-year modernization timeline.

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. 999 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 (Rhoads).

**SCRep. 182      Housing on S.B. No. 864**

The purpose and intent of this measure is to authorize the issuance of general obligation bonds for the Hawaii Housing Finance and Development Corporation and Hawaii Public Housing Authority's programs to develop affordable rental and for sale housing in the State.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Hawaii Public Housing Authority, Hawai'i Association of REALTORS, Catholic Charities Hawai'i, Hawai'i YIMBY, Hawai'i Health & Harm Reduction Center, Partners in Care, and one individual.

Your Committee finds that the State does not have a sufficient supply of affordable housing and rental units to accommodate the residents of the State. The Hawaii Public Housing Authority manages federal and state public housing programs, while the Hawaii Housing Finance and Development Corporation oversees affordable housing finance and development in the State. Both agencies are crucial to increase the supply and development of affordable housing and rentals in Hawaii. The appropriations authorized by this measure will help the State significantly address its affordable housing needs.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of:
  - (A) \$500,000,000 to the Hawaii Housing Finance and Development Corporation; and
  - (B) \$1,000,000,000 to the Hawaii Public Housing Authority;
- (2) Clarifying that the purposes of the appropriations are to finance programs to develop housing that is exclusively for residents of the State who are owner- or renter-occupants and own no other real property; 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. 864, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 864, 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. 183      (Majority) Judiciary on S.B. No. 1398**

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, 2022.

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 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. 1398 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 (Awa). Excused, none.

**SCRep. 184      Housing on S.B. No. 362**

The purpose and intent of this measure is to, beginning January 1, 2024:

- (1) Increase the rate of conveyance tax for condominiums and single-family residences ineligible for a county homeowner's exemption with a value of at least \$2,000,000;
- (2) Exempt from the conveyance tax documents and instruments conveying 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 in the State; 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 the Hawaii Housing Finance and Development Corporation, EAH Housing, Catholic Charities Hawai'i, and Partners in Care. Your Committee received testimony in opposition to this measure from Hawai'i Association of REALTORS. Your Committee received comments on this measure from Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the conveyance tax is the only dedicated and annual source of revenue for the Rental Housing Revolving Fund (Fund), which provides gap financing for new affordable rental projects to be feasibly developed under the Low-Income Housing

Tax Credit Program. According to testimony received by your Committee, increasing the overall revenue of the conveyance tax and removing the cap on conveyance tax revenues dedicated to the Fund will increase the affordable housing inventory in the State. Although your Committee recognizes that there are concerns that the proposed exemption disregards the value attached to a property for affordable housing, it believes that the exemption would drive affordable housing developers to request less moneys from the Fund or use fewer low-income housing tax credits.

Your Committee notes that no information has been provided regarding the effect of increases in the conveyance tax on affordable housing developers. Your Committee further notes that the preservation of existing conveyance tax rates for owner-occupants is necessary to incentivize the conveyance of properties to purchasers who will actually occupy the properties.

Your Committee has amended this measure by:

- (1) Exempting from the conveyance tax any documents or instruments conveying real property developed for affordable housing that is exclusively for residents of the State who own no other real property and are renters or owner-occupants of the real 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 362, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 362, 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 (Rhoads).

**SCRep. 185      Housing on S.B. No. 363**

The purpose and intent of this measure is to:

- (1) Establish a temporary Rent Reporting for Credit Pilot Program (Pilot Program) within the Hawaii Housing Finance and Development Corporation (HHFDC), that sunsets on June 30, 2027;
- (2) Require certain reports to the Governor and Legislature; and
- (3) Appropriate funds for the pilot program.

Your Committee received testimony in support of this measure from Hawai'i State Coalition Against Domestic Violence, Catholic Charities Hawai'i, Hawai'i Housing Affordability Coalition, Hawaii Habitat for Humanity Association, Hawai'i Children's Action Network Speaks!, and six individuals. Your Committee received testimony in opposition to this measure from Stanford Carr Development, LLC. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that rent is the largest recurring monthly expense for many households and nearly fifty percent of Hawaii residents are renters. Home ownership is currently the single largest source of wealth building, but, unlike mortgage payments, rent payments are not regularly reported to credit bureaus. This measure provides an alternative method for Hawaii renters to generate and build the credit they need to access better housing and homeownership opportunities. Your Committee notes that participation for landlords in the pilot program established pursuant to this measure is purely voluntary. Your Committee also urges HHFDC and other state agencies to notify the landlords they work with to publicize private sector credit-building programs for tenants.

Your Committee has amended this measure by:

- (1) Extending the deadline by eighteen months for:
  - (A) HHFDC to contract with a third party contractor to administer the pilot program and adopt administrative rules; and
  - (B) The third-party contractor to recruit no more than ten participant landlords and attempt to include a total of at least one hundred participant tenants without regard to the tenant's income in relation to the area median income;
- (2) Inserting an appropriation amount of \$150,000 for the establishment of one full-time equivalent (1.0 FTE) position within HHFDC to support the pilot program;
- (3) Requiring HHFDC to develop a series of state-sponsored public service announcements to increase tenant awareness of the existing opportunities within the credit report industry to report rent payments;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 363, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 363, 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. 186      Housing on S.B. No. 859**

The purpose and intent of this measure is to:

- (1) Establish priority for projects that are awarded funds from the Rental Housing Revolving Fund that are owned by the State or an organization obliged to reinvest financial surplus generated by a completed project into a newly constructed housing project; and
- (2) Require the Hawaii Housing Finance and Development Corporation (HHFDC) to amend Hawaii Administrative Rules to award application criteria points to projects that fulfill certain criteria and prioritize applications based on timing and loan amounts repaid early.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority. Your Committee received comments on this measure from Hawaii Housing Finance and Development Corporation and NAIOP Commercial Real Estate Development Association, Hawaii Chapter.

Your Committee finds that any profits generated by a low-income housing development project that was constructed with federal or state housing incentives stay with the developer, who is not obligated to use the profits to construct more housing. In contrast, your Committee finds that Vienna's Limited-Profit Housing Act of 1979 should be considered as a model to sustainably finance the construction of housing in the State. The concept of limited-profit housing operates on a cost-recovery basis and any profits generated from a project are continually recycled to construct more housing. This measure would incentivize developers that are awarded a loan or grant from the Rental Housing Revolving Fund, or are allocated federal low-income housing tax credits, to use the profits from their project to build additional housing.

Your Committee has amended this measure by:

- (1) Increasing the priority for projects that are awarded funds from the Rental Housing Revolving Fund that are owned by the State or an organization obliged to reinvest the financial surplus generated by a completed project to construct new housing;
- (2) Requiring HHFDC to prioritize applicants who have demonstrated accelerated full repayment of past State housing loans;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 859, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 859, 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 (Rhoads).

**SCRep. 187 Higher Education on S.B. No. 391**

The purpose and intent of this measure is to appropriate funds for the University of Hawaii Community Colleges' workforce training development programs.

Your Committee received testimony in support of this measure from the Department of Education, State Council on Developmental Disabilities, University of Hawai'i System, University of Hawaii Professional Assembly, and Hawai'i P-20 Partnerships for Education.

Your Committee finds that the University of Hawaii Community Colleges' workforce development programs equip students with the skills to secure and succeed in high-demand, high-wage jobs and are critical to the ongoing development of Hawaii's workforce. In 2022, the Community Colleges' non-credit workforce training programs provided more than seventeen thousand training opportunities. Despite the success and demand for these non-credit programs, no permanent funding is available for high school students to participate. Expanding access to serve students through Early College programs will provide needed resources to ensure all seven community colleges can support high school students interested in gaining workforce skills. Accordingly, this measure appropriates funds for the administration, training, personnel, and student support to expand workforce training curriculum.

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. 391, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 391, 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. 188 Higher Education on S.B. No. 742**

The purpose and intent of this measure is to establish and appropriate funds for one full-time equivalent (1.0 FTE) permanent Educational Support Associate position within the University of Hawaii College of Tropical Agriculture and Human Resources' Kona Cooperative Extension.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Hawaii Coffee Association; Island Harvest Inc.; Kona Coffee Farmers Association; Hawai'i Farm Bureau; and one individual.

Your Committee finds that the research, outreach, and education provided by the University of Hawaii College of Tropical Agriculture and Human Resources' Kona Cooperative Extension play a crucial role in supporting Hawaii's agricultural growers, particularly those impacted by pests, disease, and production issues. In 2021-2022, coffee alone was valued at more than \$113,000,000, the third highest commodity in the State, yet repeated requests for additional Extension staff to help support this highly valued industry, and other agricultural industries throughout the State, have been denied. The Extension continues, like it has been for years, to operate with just one Educational Support Associate, whose purview includes all coffee and orchard crops. To increase the

capacity of the University of Hawaii College of Tropical Agriculture and Human Resources' Kona Cooperative Extension, this measure funds an additional Educational Support Associate to support coffee and orchard crop industries and growers.

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. 742, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 742, 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. 189 Higher Education on S.B. No. 1413**

The purpose and intent of this measure is to require the University of Hawaii to grant resident tuition fees to an individual enrolling in an undergraduate degree program who graduated from a high school in the State, under certain conditions.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawai'i System, Hawai'i P-20 Partnerships for Education, and one individual.

Your Committee finds that many high school seniors experience difficulty answering the University of Hawaii's residency questionnaire as part of the admission process for the University. The questionnaire presents an especial barrier to students with complex living situations, in particular those who are housing insecure or are part of nontraditional family arrangements. This measure would remove this barrier to enrollment at the University of Hawaii and increase access to higher education by requiring the University of Hawaii to grant resident status for the purposes of determining tuition fees to any individual who graduated from a high school in the State, under certain conditions.

Your Committee has amended this measure by:

- (1) Clarifying that an individual who graduated from high school in the State shall not qualify for resident tuition fees if within the past two years the individual claimed resident status of another state or applied to another state's institution of higher learning as a resident of that 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1413, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1413, 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. 190 Housing on S.B. No. 55**

The purpose and intent of this measure is to:

- (1) Increase the amount of the tax credit for individuals and households and the adjusted gross income eligibility cap for the income tax credit for low-income household renters using tax brackets for individuals and different categories of households; and
- (2) For taxable years beginning after December 1, 2024, provide for increases of each tax credit per exemption amount every three years based on the Consumer Price Index.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawai'i YIMBY, Catholic Charities Hawai'i, Americans for Democratic Action Hawai'i, Hawai'i Alliance for Community-Based Economic Development, League of Women Voters of Hawaii, Hawai'i Children's Action Network Speaks!, Hawai'i Health & Harm Reduction Center, and six individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that renters in Hawaii spend over forty percent of their income on rent, which means Hawaii is the only state in the country where the average renter is cost-burdened according to the United State Department of Housing and Urban Development. The low-income renters' tax credit provides a small amount of relief so that low-income families are more able to budget and pay for essential items and necessities. Your Committee further finds it is appropriate to adjust the eligibility requirements and credit amounts of the income tax credit for low-income household renters, as the cost of housing in the State has increased by three hundred ninety percent since the income eligibility threshold for this tax credit was last adjusted in 1989.

Your Committee has amended this measure by:

- (1) Incorporating recommendations from the Department of the Attorney General and the Department of Taxation to clarify the intent of the measure to replace the current tax credit of \$50 with a bracket table that increases the tax credit per exemption amounts;
- (2) Incorporating the Department of Taxation's recommendations to:
  - (A) Amend the definition of adjusted gross income as it relates to the income tax credit for low-income household renters to reflect the intent of this measure to make the eligibility of the tax credit based on a taxpayer's federal adjusted gross income;

- (B) Implement an annual inflation adjustment rather than an adjustment every three years; and
- (C) Delete the definition of “Consumer Price Index”;
- (3) Incorporating the Office of Hawaiian Affairs’s recommendation to link the adjusted gross income bracket thresholds with the increases in each tax credit per exemption amount;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 55, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 55, 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. 191      Housing on S.B. No. 327**

The purpose and intent of this measure is to allow counties to prohibit discrimination against renters based on their source of income.

Your Committee received testimony in support of this measure from the Hawai‘i Civil Rights Commission, Hawaii State Council on Developmental Disabilities, Partners in Care, Hawai‘i Health & Harm Reduction Center, and four individuals. Your Committee received testimony in opposition to this measure from the Hawai‘i Association of REALTORS.

Your Committee finds that the federal Fair Housing Act does not prohibit source of income discrimination against renters. Your Committee notes that the Legislature passed Act 310, Session Laws of Hawaii 2022 (Act 310), which prohibits housing discrimination based on source of income, including participation in a housing assistance program, beginning May 1, 2023. Act 310 prohibits discriminatory practices in rental transactions, including participation in a Section 8 housing choice program or any permanent supportive housing program. According to testimony received by your Committee, Honolulu remains one of the largest metropolitan areas in the United States that does not have a local prohibition on source of income discrimination against renters, which may inadvertently be contributing to the State’s high levels of housing insecurity. This measure would allow counties to enact their own ordinances that not only prohibit rental discrimination based on source of income, but also include stronger protections than those provided in Act 310.

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. 327, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 327, 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. 192      (Majority) Housing on S.B. No. 336**

The purpose and intent of this measure is to restrict counties from disapproving or imposing certain conditions on a housing development project or an emergency shelter unless the county meets certain requirements.

Your Committee received testimony in support of this measure from Hawai‘i Health & Harm Reduction Center, Building Industry Association of Hawaii, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that Hawaii is in a dire housing crisis as housing supply is at a critically low level. Many housing development projects stall at the county level due to overregulation and government backlog. When projects are not approved, clear and thorough reasons should be provided to the applicant and the public explaining the reasons for the denial. This measure holds counties accountable to ensure that each housing project and emergency shelter is well-vetted and accurately considered, while also ensuring necessary protections for public health and safety.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the county to make a written finding, based upon a preponderance of the evidence, that the county has met or exceeded any affordable housing obligation to develop vacant lots, single-family residences, multi-family residences, or any other type of residence for sale or rent to individuals with a specified income range, if a county disapproves a housing development project or emergency shelter;
- (2) Adopting the Department of the Attorney General’s recommendation to clarify the three distinct instances where a county may not make a finding to disapprove or conditionally approve a housing development project or emergency shelter that is inconsistent with applicable zoning ordinances, county general plan, and state land use classifications;
- (3) Amending the definition of “housing development project” to mean a project consisting of residential units that are exclusively for residents of the State who are owner- or renter-occupants and own no other real property, or transitional housing or supporting housing; 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 S.B. No. 336, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 336, 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 (Awa). Excused, none.

**SCRep. 193      Housing on S.B. No. 340**

The purpose and intent of this measure is to appropriate funds to the Department of Human Services for the Hawaii Public Housing Authority (HPHA) to rehabilitate, remodel, renovate, and repair an unspecified amount of housing units.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority and three individuals.

Your Committee finds that many public housing units in the State were constructed over fifty years ago. HPHA has a current capital improvement backlog upwards of \$800,000,000 and additional funding is needed to keep public housing units safe, decent, and sanitary for habitation. Your Committee recognizes that the amount of federal subsidies HPHA is eligible to receive depends on the occupancy of certain public housing units.

Your Committee notes that during the public hearing on this measure, testimony indicated that the average cost to rehabilitate and modernize a public housing unit is \$79,215, and as of January 31, 2023, HPHA is seeking to repair and upgrade two hundred fifty-five public housing units statewide, comprised of one hundred fifty-four units in the City and County of Honolulu, fifty-six units in Maui County, nineteen units for Hawaii County, and twenty-six units in Kauai County. Based on these figures, HPHA estimates that an appropriation of \$20,200,000 is necessary to ensure that its public housing units comply with the Americans with Disabilities Act and other federally mandated improvements.

Furthermore, according to testimony received by your Committee, because the appropriations in this measure lapse on June 30, 2025, HPHA requests that the rehabilitation and modernization of these two hundred fifty-five public housing units be performed without regard to chapter 76, Hawaii Revised Statutes, relating to civil service law, as this exemption would allow HPHA to facilitate the completion of the repairs and upgrades before the appropriations lapse.

Accordingly, your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$20,200,000 for fiscal years 2023-2024 and 2024-2025 for the rehabilitation, remodeling, renovation, and repair of two hundred fifty-five housing units;
- (2) Authorizing the Hawaii Public Housing Authority to contract out the repair and maintenance of these housing units without regard to chapter 76, Hawaii Revised Statutes; and
- (3) Specifying that the Hawaii Public Housing Authority, rather than the Department of Human Services, expend the funds appropriated by this measure.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 340, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 340, 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 (Rhoads).

**SCRep. 194      (Majority) Housing on S.B. No. 763**

The purpose and intent of this measure is to temporarily exempt Hawaii Housing Finance and Development Corporation affordable housing projects from certain state and county fees and exactions when the units of the housing project are exclusively made available to certain qualified residents.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Hawai'i Health & Harm Reduction Center, and Partners in Care. Your Committee received testimony in opposition to this measure from the Honolulu Board of Water Supply; Hawaii's Thousand Friends; Kauahou Ohana Association; Momilani Farm; Pele Lani Farm, LLC; and sixteen individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that Hawaii has been in a housing crisis for many decades and many of Hawaii's most vulnerable residents are priced out of housing. This measure would serve to reduce development costs and encourage the development of more affordable housing units. According to testimony received by your Committee, a Water Systems Facilities Charge is calculated for each new water user to connect and access the county's water system. Your Committee recognizes that this fee not only pays for increasing the capacity of the existing water system to accommodate new and expanding developments, but the moneys collected from this charge currently allows for the Honolulu Board of Water Supply to waive the water systems facilities charges and new meter cost for up to five hundred qualified on-site affordable and homeless dwelling units per year. Testimony from the Honolulu Board of Water Supply also indicates that the exemption of this charge would not only affect its operating and capital improvement budget, but also place a heavy financial burden for the people and businesses that it serves.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the affordable housing projects shall remain subject to rates, fees, and exactions of the various boards of water supply as authorized under chapter 54, 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 763, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 763, 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, 1 (Awa). Excused, none.

**SCRep. 195 Government Operations on S.B. No. 291**

The purpose and intent of this measure is to require the Governor to ensure that the Governor's program memoranda and variance reports:

- (1) Accurately reflect the current responsibilities of certain state programs;
- (2) Address the current and future needs of the State; and
- (3) Align with budget-related submittals.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the authority to execute budget controls must be used with the utmost care, and prudent management of the State's finances is expected and necessary. Additionally, your Committee finds that program memoranda and variance reports should align with budget-related submittals to accurately reflect the needs of the State.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (2) Making a technical nonsubstantive amendment for the purposes of clarity and consistency.

Your Committee has heard the testimony of the Department of Budget and Finance expressing concerns that the State's fiscal resources cannot extend to address all needs. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee requests that they examine the inclusion of language that would provide the Department of Budget and Finance with the flexibility to encompass instances where the fiscal realities do not permit the Executive Biennium and Supplemental Budgets to align fully with the needs of the State.

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. 291, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 291, 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. 196 Government Operations on S.B. No. 292**

The purpose and intent of this measure is to require the Governor to ensure that the Governor's variance reports:

- (1) Accurately reflect the current responsibilities of certain state programs;
- (2) Address the current and future needs of the State; and
- (3) Align with budget-related submittals.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the authority to execute budget controls must be used with the utmost care, and prudent management of the State's finances is expected and necessary. Additionally, your Committee finds that variance reports should align with budget-related submittals to accurately reflect the needs of the State.

Your Committee has amended this measure by inserting an effective date of July 1, 2112, to encourage further discussion.

Your Committee has heard the testimony of the Department of Budget and Finance expressing concerns that the State's fiscal resources cannot extend to address all needs. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee requests that they examine the inclusion of language that would provide the Department of Budget and Finance with the flexibility to encompass instances where the fiscal realities do not permit the Executive Biennium and Supplemental Budgets to align fully with the needs of the State.

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. 292, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 292, 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. 197 Government Operations on S.B. No. 293**

The purpose and intent of this measure is to require the Governor to ensure that the Governor's program memoranda:

- (1) Accurately reflect the current responsibilities of certain state programs;
- (2) Address the current and future needs of the State; and

(3) Align with budget-related submittals.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the authority to execute budget controls must be used with the utmost care, and prudent management of the State's finances is expected and necessary. Additionally, your Committee finds that program memoranda should align with budget-related submittals to accurately reflect the needs of the State.

Your Committee has amended this measure by inserting an effective date of July 1, 2112, to encourage further discussion.

Your Committee has heard the testimony of the Department of Budget and Finance expressing concerns that the State's fiscal resources cannot extend to address all needs. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee requests that they examine the inclusion of language that would provide the Department of Budget and Finance with the flexibility to encompass instances where the fiscal realities do not permit the Executive Biennium and Supplemental Budgets to align fully with the needs of the State.

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. 293, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 293, 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. 198 (Joint) Water and Land and Hawaiian Affairs on S.B. No. 735**

The purpose and intent of this measure is to exempt the instream use of water for commercial kalo cultivation conducted in a manner consistent with traditional and customary practices of Native Hawaiians from the existing process for the disposition of water rights.

Your Committees received testimony in support of this measure from the University of Hawai'i, Hawai'i Alliance for Progressive Action, Hawaii Food+ Policy, and thirty-four individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources and Department of Hawaiian Home Lands.

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 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. Therefore, this measure exempts the instream use of water for commercial kalo cultivation conducted in a manner consistent with traditional and customary practices of Native Hawaiians from the existing process for the disposition of water rights.

Your Committees have heard the testimony of the Department of Land and Natural Resources expressing concerns that this measure, as drafted, would allow water used ultimately for commercial purposes to avoid any oversight from the Board of Land and Natural Resources, as well as not having to provide a reservation with the Department of Hawaiian Home Lands nor collaborate to develop and implement a watershed management plan, both of which are requirements of the water lease process. Your Committees have also heard the testimony of the Department of Hawaiian Home Lands expressing concerns that a complete exemption would directly impact their interests.

Therefore, your Committees have amended this measure by:

- (1) Inserting a new subsection specifying that only the public auction requirements for the disposition of water rights shall not apply to commercial kalo cultivation and deleting the language that would have exempted instream commercial kalo cultivation conducted in a manner consistent with traditional and customary practices of Native Hawaiians from the disposition of water rights requirements pursuant to section 171-58, Hawaii Revised Statutes;
- (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. 735, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 735, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 4; Ayes with Reservations (Elefante). Noes, none. Excused, 1 (Chang).

Hawaiian Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 199 (Joint) Water and Land and Government Operations on S.B. No. 1291**

The purpose and intent of this measure is to require the Office of Planning and Sustainable Development, in cooperation with each state agency having operational responsibilities over state facilities, to develop a standardized process to conduct vulnerability assessments for facilities at risk from sea level rise and guidance to agencies on how to conduct the vulnerability assessments for their facilities.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development; Department of Land and Natural Resources; Department of Business, Economic Development, and Tourism; University of Hawai'i Sea Grant College Program; Hawai'i Climate Change Mitigation and Adaptation Commission; and Imua Alliance.

Your Committees find that to successfully adapt to climate change and sea level rise, state agencies must plan, coordinate, and act to assure Hawaii's sustainable and resilient future and mitigate against societal or economic disruptions caused by climate impacts.

Therefore, this measure requires the Office of Planning and Sustainable Development, in cooperation with each state agency having operational responsibilities over state facilities, to develop a standardized process to conduct vulnerability assessments for facilities at risk from sea level rise and provide guidance to agencies.

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 Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1291, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1291, 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).

Government Operations: Ayes, 5. Noes, none. Excused, none.

**SCRep. 200 (Joint) Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts on S.B. No. 374**

The purpose and intent of this measure is to create license plates to honor veterans of the Iraq and Afghanistan conflicts.

Your Committees received testimony in support of this measure from the Office of Veterans' Services of the Department of Defense and one individual.

Your Committees find that veterans of the Iraq and Afghanistan conflicts have sacrificed their lives to defend the citizens of the United States. Your Committees recognize that creating a special license plate for Iraq and Afghanistan veterans is an expression of gratitude for their service in protecting, not only our state citizens, but the citizens of our nation. Existing law does not include special license plates for Iraq and Afghanistan veterans, therefore, this measure will create license plates to honor the veterans of the Iraq and Afghanistan conflicts.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 374 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 and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

**SCRep. 201 (Joint/Majority) Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts on S.B. No. 366**

The purpose and intent of this measure is to establish penalties for the failure to comply with a Director of Finance's request that a vehicle number plate or special number plate be returned.

Your Committees received testimony in support of this measure from the Department of Customer Services of the City and County of Honolulu.

Your Committees find that a county Director of Finance may refrain from issuing, or request the return of, a number plate or special number plate for various reasons, including the use of language that is publicly objectionable. Your Committees further find that individuals may refuse a county Director of Finance's request to return a vehicle number plate or special number plate, due to the lack of adequate penalties for individuals who fail to comply with the request. Creating penalties for the refusal of complying with the request will further promote compliance. Therefore, this measure will establish a fine of an unspecified amount, revocation of the person's driver's license, or both, for any person who fails to comply with a county Director of Finance's request to return a number plate or special number plate.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 366 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.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, 1 (Awa). Excused, none.

Transportation and Culture and the Arts: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 202 (Majority) Government Operations on S.B. No. 699**

The purpose and intent of this measure is to require the Lieutenant Governor to administer and facilitate a Hawaii State Capitol Tours Program.

Your Committee received comments on this measure from the Office of the Lieutenant Governor.

Your Committee finds that a way of sharing aloha is to offer tours of the Hawaii State Capitol where individuals can learn about the building's history, unique features, and other nearby points of interest.

Additionally, your Committee has had an opportunity to discuss this measure with the Lieutenant Governor and interested stakeholders, and the consensus is that the Legislative Reference Bureau's Public Access Room is adept and has experience interacting with the public, visiting groups, and the Division of State Parks. To ensure the most efficient provision of public service, your Committee finds that the Public Access Room is the best option to conduct and host the State Capitol tours.

Your Committee has amended this measure by:

- (1) Appropriating an unspecified amount for one full-time equivalent position within the Legislative Reference Bureau's Public Access Room;
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 699, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 699, 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, 1 (Awa). Excused, 1 (Wakai).

**SCRep. 203 Government Operations on S.B. No. 749**

The purpose and intent of this measure is to require the Public Access Room to establish and maintain an outreach and engagement program for primary, secondary, post-secondary, and community education.

Your Committee received testimony in support of this measure from the Commission to Promote and Advance Civic Education, Hawai'i Association of Independent Schools, Hawai'i Youth Services Network, Community Alliance on Prisons, and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the 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. Your Committee additionally finds that the Public Access Room is well-positioned to further civic engagement between the Legislature and students in the State through educational partnerships. However, the Public Access Room currently lacks resources to provide outreach services beyond its current efforts.

Your Committee has amended this measure by:

- (1) Inserting new statutory language that requires the Department of Education and University of Hawaii to assign appropriate staff to coordinate with the Public Access Room with respect to the new outreach and engagement program;
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 749, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 749, 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 (Wakai).

**SCRep. 204 (Joint) Government Operations and Water and Land on S.B. No. 1485**

The purpose and intent of this measure is to allow the Department of Land and Natural Resources to engage in capital improvement project work at state small boat harbors and state parks without prior approval from the Legislature and Governor.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Ocean Tourism Coalition, Trilogy Corporation, and three individuals. Your Committees received testimony in opposition to this measure from the Department of Budget and Finance and Wailoa River and Reeds Bay Boating and Users Association. Your Committees received comments on this measure from Calypso Charters.

Your Committees find that state small boat harbors and state parks are important locations for the State, serving as hubs of ocean and land-based recreation for residents and visitors alike. Small boat harbors have endured impacts from numerous vessels, and both small boat harbors and state parks have been weathered by vehicles, visitors, and vandalism. Further, state small boat harbors and state parks have an extensive backlog for the construction, repair, and maintenance of critical infrastructure.

Your Committees further find that many efforts were made by the Division of Boating and Ocean Recreation and Division of State Parks to repair and redevelop small boat harbors and conduct repair and maintenance on state park features and infrastructure. Both divisions are working toward developing a new process to provide for the redevelopment of their facilities, and the Division of State Parks is developing an asset management program to standardize routine repair and maintenance efforts to reduce the need for capital improvement projects. However, repair work is needed immediately to ensure that small boat harbors and state parks provide attractive, high quality, and safe experiences for Hawaii's residents and visitors.

Your Committees further find that repair, maintenance, and construction needs often arise when the Legislature is not in session. However, due to the statutory requirement that capital improvement projects be approved by the Legislature and Governor, many capital needs are put on hold until the next legislative session. This leads to the further deterioration of facilities and increased costs to

the State. This Act would provide a streamlined and efficient response to address capital needs in a timely manner and with the best cost-efficiency for the State.

Your Committees have amended this measure by:

- (1) Inserting language to clarify that authorization by the Legislature and the Governor for capital improvement projects is not required for existing facilities only;
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

Your Committees note that there was a robust discussion between the Department of Budget and Finance, Department of Land and Natural Resources, and Division of State Parks. The Department of Land and Natural Resources and Division of State Parks indicated that improvements occur when the Legislature is not in session and repairs are desperately needed. The Department of Budget and Finance pointed out that article VII, section 5, of the Hawaii State Constitution states that expenditures for capital improvement projects need to be authorized by the Legislature. Your Committees find that the issues raise concerns that merit further consideration and request that, should your Committee on Ways and Means choose to deliberate on this measure, that it 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 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. 1485, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1485, S.D. 1, 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.

Water and Land: Ayes, 4; Ayes with Reservations (Elefante). Noes, none. Excused, 1 (Fevella).

**SCRep. 205 (Joint) Government Operations and Health and Human Services on S.B. No. 894**

The purpose and intent of this measure is to:

- (1) Transfer the Office of Wellness and Resilience from the Office of the Governor to the Department of Human Services on July 1, 2025;
- (2) Extend the Trauma-Informed Care Task Force dissolution date to June 30, 2025, and establish the task force as an advisory board to the Office of Wellness and Resilience until its dissolution; and
- (3) Reconstitute the membership of the Trauma-Informed Care Task Force into a permanent advisory board to the Office of Wellness and Resilience to be called the Wellness and Resilience Advisory Board.

Your Committees received testimony in support of this measure from the Office of Wellness and Resilience, Department of Public Safety, Executive Office on Early Learning, Hawai'i Children's Action Network Speaks!, HawaiiKidsCAN, Hawai'i Youth Services Network, Hawai'i Primary Care Association, Hawai'i Community Foundation, EPIC 'Ohana, and one individual. Your Committees received comments on this measure from the Department of Health.

Your Committees find that the Trauma-Informed Care Task Force established in 2021 focuses on efforts to create and adopt a statewide framework for trauma-informed and responsive practices, identifying best practices, and identifying cultural practices to help build wellness and resilience. Your Committees further find that Act 291, Session Laws of Hawaii, established the Office of Wellness and Resilience, the first in the nation, to be temporarily placed in the office of the Governor. This agency is tasked with assisting those who have experienced childhood trauma and other mental health issues. Your Committees recognize the need and long-term commitment to help children and families avoid adverse childhood experiences and provide comprehensive, coordinated, culturally sensitive services to survivors of trauma. Therefore, this measure establishes the Office of Wellness and Resilience permanently within the Department of Human Services and ensures that the Trauma-Informed Care Task Force will continue its important work in an advisory capacity.

Your Committees have amended this measure by inserting an effective date of July 1, 2112, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Government Operations and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 894, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 894, S.D. 1, 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.

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

**SCRep. 206 (Joint/Majority) Government Operations and Health and Human Services on S.B. No. 891**

The purpose and intent of this measure is to require the Department of Accounting and General Services to provide menstrual products at no cost in specified restrooms of public buildings maintained by that department.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services; Department of Human Services; one member of the Hawai'i County Council; one member of the Kaua'i County Council; Aloha Diaper Bank; Hawaii Diaper Bank; Rainbow Family 808; Stonewall Caucus of the Democratic Party of Hawai'i; Hawai'i Health & Harm Reduction Center; PERIOD, Inc.; Hawai'i Student Care Resources; Pilina Center for Wellbeing; Hawai'i Women's Coalition;

Ma'i Movement Hawai'i; and forty-six individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees recognize the financial burden associated with menstruation when the lack of economic relief or easily accessible aid threatens the livelihood of menstruating persons. Your Committees believe that the provision of free menstrual products in public buildings would reduce health risks, alleviate the burden of period poverty, and protect the dignity of all menstruating people. Further, your Committees believe that establishing wider access to free menstrual products would help to ensure more inclusive and equitable access to public facilities, reduce barriers faced by residents and visitors to state buildings in meeting basic needs, and promote greater menstrual equity in the State.

Your Committees have amended this measure by inserting an effective date of July 1, 2112, to encourage further discussion.

Your Committees request that, should your Committee on Ways and Means choose to deliberate on this measure, that the Department of Accounting and General Services provide that Committee with a suggested appropriation amount.

As affirmed by the records of votes of the members of your Committees on Government Operations and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 891, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 891, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 4. Noes, 1 (Awa). Excused, none.

Health and Human Services: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Moriwaki).

**SCRep. 207      Judiciary on S.B. No. 203**

The purpose and intent of this measure is to allow the Campaign Spending Commission to treat a respondent's failure to explain or otherwise respond to a complaint alleging a violation of campaign spending laws as an admission that a violation has occurred.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that currently, the Campaign Spending Commission has to make repeated attempts to communicate with a respondent regarding a complaint alleging a violation of campaign spending laws before putting the matter on a meeting agenda for action. This wastes the Campaign Spending Commission's time and resources. This measure will allow the Campaign Spending Commission to timely process complaints in cases where the Campaign Spending Commission has given notice of a complaint to the respondent and the respondent fails to respond.

Your Committee has amended this measure by:

- (1) Specifying that a respondent's failure to explain or otherwise respond to a complaint may be treated as a presumption, rather than an admission, that the violation has occurred; and
- (2) Specifying that the respondent shall have thirty days from the mailing of the complaint to respond before the presumption takes effect.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 203, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 203, 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 (San Buenaventura). Noes, none. Excused, none.

**SCRep. 208      Education on S.B. No. 154**

The purpose and intent of this measure is to:

- (1) Require the Department of Education to develop and implement a School Meal Subsidy Program to provide school lunch subsidies to children whose families do not otherwise qualify for free lunch under the federal Free and Reduced Lunch Program, subject to income eligibility; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Education, Executive Office on Early Learning, Hawai'i State Council on Developmental Disabilities, Hawaii State Teachers Association, Hawai'i Children's Action Network Speaks!, Democratic Party of Hawai'i Education Caucus, Hawai'i Hunger Action Network, Hawai'i Public Health Institute, and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the National School Lunch Program is a federally assisted meal program for schools. While the National School Lunch Program provides daily low-cost or free, balanced meals to children from households making a certain income, the Department of Education estimates that up to fifteen thousand children each year from gap groups do not qualify for the National School Lunch Program, but still struggle with food insecurity. Nutritious meals are integral to the development, growth, and learning of Hawai'i's keiki and in many cases, school meals may be the only way some children have access to food. Therefore, developing a state School Meal Subsidy Program is necessary to provide lunch subsidies for students who are not otherwise eligible for free lunch under the Department of Education Food Services Branch's Free and Reduced Price Lunch 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.

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. 154, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 154, 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. 209 Education on S.B. No. 1518**

The purpose and intent of this measure is to provide procurement exemptions for the Department of Education for certain goods, services, and construction.

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 State Procurement Office.

Your Committee finds that the Department of Education is the largest department in the State with two hundred ninety-five schools and forty-two thousand salaried and part-time employees, which must procure numerous goods, services, and construction to run its operations. Presently, the Department of Education is mandated to comply with procurement laws for its purchases depending on certain threshold amounts. However, school administrators seeking to address repair and maintenance backlogs face delays and difficulties from the mandated use of the Department of Education's electronic procurement system. To ensure efficiency in Department of Education operations, abbreviating certain small purchase procurement requirements for the Department of Education will allow the Department to procure necessary goods and services and construction in a more timely manner.

Your Committee has amended this measure by:

- (1) Clarifying that Department of Education expenditures less than \$50,000 for goods and services and less than \$125,000 for construction shall be subject to administrative rules of the State Procurement 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1518, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1518, 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 (Kim, Richards). Noes, none. Excused, none.

**SCRep. 210 Higher Education on S.B. No. 1151**

The purpose and intent of this measure is to exempt University of Hawaii community college students who are enrolled in certificate programs from the requirement to complete the Free Application for Federal Student Aid (FAFSA) each academic year to be considered eligible for the Hawaii Community College Program.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, University of Hawai'i System, University of Hawaii Professional Assembly, and one individual. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that students attending the University of Hawaii community colleges have benefitted significantly from the Hawaii Community College Promise Program, which is more flexible and teaches political, applicable skills. Additionally, your Committee believes that certificate programs are valuable to the State and open opportunities for individuals with intellectual and developmental disabilities who have had difficulty in accessing promise scholarships in the past either because they were not enrolled full-time or had difficulty with FAFSA applications. Your Committee recognizes the importance of widening access to the Hawaii Community College Promise Program to help students in certificate programs pursue their educational goals. Therefore, this measure aims to increase opportunities to achieve higher education and reduce the cost of community college for those with intellectual and developmental disabilities.

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. 1151, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1151, 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. 211 Higher Education on S.B. No. 1598**

The purpose and intent of this measure is to appropriate funds to the Department of Science of the University of Hawaii Maui College to support water testing on the island of Maui, including supplies and the establishment of two full-time equivalent (2.0 FTE) positions.

Your Committee received testimony in support of this measure from the University of Hawai'i Systems.

Your Committee finds that the island of Maui has only one water quality testing laboratory. That facility is operated by the County of Maui and only serves the county's agencies. All other water quality testing must be sent to the island of Oahu, where it takes approximately twelve weeks to be returned. Additionally, your Committee recognizes that the recent water crises occurring in Hawaii



are detrimental to the health of the State's residents and environment. Therefore, this measure seeks to provide funding and staff for a water testing laboratory at the University of Hawaii Maui College, to enable faster water quality test results and encourage further water quality research on the island of Maui.

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. 1598, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1598, 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. 212 (Joint) Higher Education and Energy, Economic Development, and Tourism on S.B. No. 1510**

The purpose and intent of this measure is to:

- (1) Establish a center for design, development, and fabrication of astronomical instruments within the University of Hawaii; and
- (2) Appropriate funds for the center's planning and design and ten full-time equivalent (10.0 FTE) faculty positions within the center.

Your Committees received testimony in support of this measure from the University of Hawai'i System, Office of the Mayor for the County of Hawai'i, Hawai'i Island Chamber of Commerce, Hawaii Science and Technology Museum, Kona-Kohala Chamber of Commerce, Maunakea Observatories, Japanese Chamber of Commerce and Industry of Hawaii, Ke Kula 'O Nāwahīokalani'ōpu'u, The Success Factory, and six individuals. Your Committees received comments on this measure from one individual.

Your Committees find that Hawaii has a well-deserved reputation for astronomical excellence, as astronomy contributes over \$200,000,000 annually into Hawaii's economy. However, despite these facts, most of the current technology development and fabrication needed to support the astronomical facilities on the islands of Hawaii and Maui occur outside of the State. Additionally, within the State's astronomy engineering and technical workforce, only thirty percent are born and raised in Hawaii.

Your Committees further find that, due to the State's need for a stronger network of local engineers in Hawaii's astronomical settings, the establishment and funding of a center dedicated to expanding Hawaii's space and engineering field is essential for the sustainability of astronomy in the State. Your Committees also recognize that the University of Hawaii is the State's sole institution of public higher education and has the capacity to serve as the hub for Hawaii astronomy engineering and instrument development. Therefore, in order to encourage the youth of Hawaii to pursue careers in astronomy, this measure will appropriate funds toward a center focused on design, development, and fabrication of astronomical instruments within the University of Hawaii, including the funding for ten full-time equivalent faculty positions.

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 are in accord with the intent and purpose of S.B. No. 1510 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, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

**SCRep. 213 Energy, Economic Development, and Tourism on S.B. No. 817**

The purpose and intent of this measure is to amend the definition of "eligible business activity" to include the processing of value-added agricultural products grown within an enterprise zone and the development or production of renewable energy.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii State Energy Office; Hawai'i Gas; Hawai'i Farm Bureau; Hawaii Clean Power Alliance; and one individual. Your Committee received comments on this measure from the Department of Agriculture and Tax Foundation of Hawaii.

Your Committee finds that the enterprise zone program was initially established within the Department of Business, Economic Development, and Tourism to stimulate certain types of business activity and increase employment in targeted areas of the State. The enterprise zone program is one of the few state programs that incentivize economic development in the most rural and distressed communities where agriculture is often the main business activity. Your Committee believes that clean energy and agriculture are two of Hawaii's top priorities and are essential to the State's sustainability. This measure will support the production of value added products, help farmers increase their income, and bring the advantages of the enterprise zone program to two of the State's top priorities and most challenging sectors by amending the definition of "eligible business activity" to include the processing of value-added agricultural products grown within an enterprise zone and the development or production of renewable energy.

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. 817 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. 214 Energy, Economic Development, and Tourism on S.B. No. 837**

The purpose and intent of this measure is to authorize the Department of Business, Economic Development, and Tourism to:

- (1) Acquire real, personal, or mixed property;

- (2) Clear, improve, and rehabilitate property;
- (3) Sell, assign, exchange, transfer, convey, lease, dispose, or encumber property; and
- (4) Acquire property by condemnation.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the Department of Business, Economic Development, and Tourism seeks to encourage and diversify economic activity and workforce and business development in the State. Your Committee believes that empowering the Department of Business, Economic Development, and Tourism to acquire and manage property will enhance the Department's capacity to implement its objective of developing the economy of the State. This measure will allow the Department of Business, Economic Development, and Tourism to support projects that are beneficial to the development of multiple sectors of the economy, create and boost economic opportunities for public benefits, and address a wide array of the public's needs by authorizing the Department to acquire real, personal or mixed property; clear, improve, and rehabilitate property; sell, assign, exchange, transfer, convey, lease, dispose, or encumber property; and acquire property by condemnation.

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. 837 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. 215 Energy, Economic Development, and Tourism on S.B. No. 690**

The purpose and intent of this measure is to prohibit the sale of certain fluorescent lamps in the State as a new manufactured product, with certain exemptions.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii State Energy Office, Hawai'i Climate Change Mitigation and Adaptation Commission, County of Hawai'i Department of Environmental Management, Hawai'i Energy, Blue Planet Foundation, Appliance Standards Awareness Project, Ulupono Initiative, and three individuals.

Your Committee finds that all fluorescent bulbs contain mercury, a toxic pollutant that bioaccumulates in the environment, can pollute air and water, and causes harm to wildlife and human health. Your Committee also finds that mercury-free alternatives exist for most of the thousands of products that contain mercury components, such as light-emitting diodes (LEDs) that are up to eighty percent more energy efficient than fluorescent bulbs and can last three to five times longer than fluorescent bulbs. Your Committee believes that LEDs offer a better choice because they do not contain any mercury, are more energy efficient, and are a cheaper life-cycle cost lighting option for consumers and businesses. This measure will prevent additional toxic pollutants from being brought into the State's ecosystem, reduce energy use, and save consumer dollars by prohibiting the sale of certain fluorescent lamps in the State as a new manufactured product, with certain exemptions.

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 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. 690, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 690, 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. 216 Energy, Economic Development, and Tourism on S.B. No. 1231**

The purpose and intent of this measure is to identify and address remaining obstacles to digital equity to all areas of the State by establishing the Digital Equity Grant Program. By awarding grants the State seeks to create a condition in which all individuals and communities in the State have the information technology capacity needed for full participation in society, democracy, and the economy.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; University of Hawai'i System; Hawai'i Climate Change Mitigation and Adaptation Commission; Broadband Hui; Kapolei Chamber of Commerce; Hawaiian Telcom; Charter Communications; and four individuals. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest. Your Committee received comments on this measure from the Office of Information Practices and Society of Professional Journalists.

Your Committee finds that the coronavirus disease 2019 pandemic spotlighted the need for digital equity for all of Hawai'i's residents. The federal Infrastructure Investment Jobs Act recognized the importance of digital equity and created several programs, including the Digital Equity Capacity Grant Program. The Digital Equity Capacity Grant Program provides a one-year period for the development of the statewide digital equity plan before the National Telecommunications and Information Administration will issue their notice of funding opportunity for the capacity grants. Your Committee believes that providing funding opportunities in advance of the anticipated National Telecommunications and Information Administration's State Digital Equity Capacity Grant program will accelerate the delivery of digital equity and literacy benefits to local communities. This measure will help to fund and build information technology to provide digital capacity in Hawai'i's communities by establishing the Digital Equity Grant Program to award grants and create a condition in which all individuals and communities in the State have the information technology capacity needed for full participation in society, democracy, and the economy.

Your Committee has amended this measure by:

- (1) Inserting language defining “broadband infrastructure”;
- (2) Removing language that would have exempted “commercially sensitive information” from disclosure, due to existing Uniform Information Practices Act protections; and
- (3) 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 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. 1231, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1231, 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. 217 Energy, Economic Development, and Tourism on S.B. No. 1296**

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Economic Development District Planning Organization and governing board to meet the requirements of the United States (U.S.) Economic Development Administration, as provided in title 13 Code of Federal Regulations section 304.2, by being broadly representative of the principal economic interests of the region, including private sector, public officials, community leaders, representatives of workforce development boards, institutions of higher learning, minority and labor groups, and private citizens; and
- (2) Designate the Office of Planning and Sustainable Development to organize the district organization assisted by professional staff with economic development planning qualifications.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and Department of Business, Economic Development, and Tourism. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that economic development districts are multi-county entities tasked to help lead and coordinate locally developed and regionally driven economic development. Economic development districts are crafted to develop long-term relationships with the U.S. Economic Development Administration, including annual federal funding to support the development and implementation of the region’s Comprehensive Economic Development Strategy. Your Committee also finds that U.S. Economic Development Administration investment of federal funds is more likely within designated economic development district areas on a per capita basis than within areas not covered by an economic development district. This measure will provide the State an opportunity to foster a stronger relationship with the U.S. Economic Development Administration and the federal government and create the opportunity for more regular access to federal funds by establishing the Hawaii Economic Development District Planning Organization and governing board to meet the requirements of the U.S. Economic Development Administration and designating the Office of Planning and Sustainable Development to organize the district organization.

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. 1296, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1296, 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. 218 (Joint) Energy, Economic Development, and Tourism and Higher Education on S.B. No. 1520**

The purpose and intent of this measure is to:

- (1) Require the Department of Business, Economic Development, and Tourism to work with the University of Hawaii on workforce development activities that support the development of the Hawaii Pacific Hydrogen Hub and other related aspects of the State’s hydrogen energy industry; and
- (2) Appropriate funds for the Hawaii Pacific Hydrogen Hub.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, University of Hawai’i System, Sustainable Energy Hawai’i, and four individuals.

Your Committees find that the United States Department of Energy Regional Hydrogen Hubs Program is providing \$7,000,000,000 to establish up to ten regional clean energy hubs across America. As part of a larger \$8,000,000,000 hydrogen hub program funded through the Infrastructure Investment and Jobs Act, the Regional Hydrogen Hubs Program will be a central driver in helping communities across the country benefit from clean energy investments, good-paying jobs, and improved energy security. Your Committees further find that the United States Department of Energy selected Hawaii as one of thirty—three public—private consortiums to compete for the federal funding. Proposed as the Hawaii Pacific Hydrogen Hub, the Department of Business, Economic Development, and Tourism is leading the consortium to leverage \$500,000,000 in private investment for \$500,000,000 in matching funds from the United States Department of Energy that will drive production, processing, delivery, storage, and end—use of

clean hydrogen, including innovative uses in the industrial sector. Your Committees believe that if fully built and implemented, the Hawaii Pacific Hydrogen Hub will become a major industry and job center for the State.

This measure will allow the State to leverage critical federal funds and transition to sustainable, renewable energy by requiring the Department of Business, Economic Development, and Tourism to work with the University of Hawaii on workforce development activities that support the development of the Hawaii Pacific Hydrogen Hub and other related aspects of the State's hydrogen energy industry, and appropriates funds for the Hawaii Pacific Hydrogen Hub.

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 Energy, Economic Development, and Tourism and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1520, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1520, 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.

Higher Education: Ayes, 5. Noes, none. Excused, none.

**SCRep. 219 (Joint) Hawaiian Affairs and Housing on S.B. No. 1353**

The purpose and intent of this measure is to exempt any development of homestead lots or housing for the Department of Hawaiian Home Lands from general excise and use taxes.

Your Committees received testimony in support of this measure from the Office of the Governor, Department of Hawaiian Home Lands, and one member of the Kaua'i County Council. Your Committees received comments on this measure from the Department of Budget and Finance and Department of Taxation.

Your Committees find that the Department of Hawaiian Home Lands was established by the Hawaiian Homes Commission Act of 1920, as amended, to protect and improve the lives of native Hawaiians. The Department of Hawaiian Home Lands serves to develop and administer public lands for homesteads and offers them for lease to native Hawaiian beneficiaries at rates considerably below market value. As such, the Department of Hawaiian Home Lands currently pays general excise taxes when developing affordable housing projects despite having no ability to recover these costs due to their below market leases. Your Committees find that this discrepancy has hampered the rate of affordable housing development for beneficiaries. Therefore, this measure exempts any developments of homestead lots or housing for the Department of Hawaiian Home Lands from general excise and use taxes.

Your Committees have heard the testimony of the Department of Budget and Finance, noting that rulemaking authority for the joint promulgation of administrative rules by the Department of Hawaiian Home Lands and the Department of Taxation to implement the exemption should be added to this measure.

Therefore, your Committees have amended this measure by:

- (1) Providing that the Director of Taxation and the Department of Hawaiian Home Lands shall adopt rules pursuant to chapter 91, Hawaii Revised Statutes, relating to the general excise tax exemptions; 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 Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1353, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1353, 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 (Fevella). Noes, none. Excused, none.

Housing: Ayes, 5; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

**SCRep. 220 (Joint) Hawaiian Affairs and Housing on S.B. No. 448**

The purpose and intent of this measure is to exempt housing development from general excise taxes and school impact fee requirements and extend the county affordable housing credit program for the Department of Hawaiian Home Lands.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands and Dowling Company, Inc. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Office of the Governor, Department of the Attorney General, Department of Taxation, Department of Budget and Finance, School Facilities Authority, one member of the County Council of the County of Hawai'i, and Tax Foundation of Hawaii.

Your Committees find that the Department of Hawaiian Home Lands was established by the Hawaiian Homes Commission Act of 1920, as amended, to protect and improve the lives of native Hawaiians. The Department of Hawaiian Home Lands serves to develop and administer public lands for homesteads and offers them for lease to native Hawaiian beneficiaries at rates considerably below market value. As such, the Department of Hawaiian Home Lands currently pays general excise taxes when developing affordable housing projects despite having no ability to recover these costs due to their below market leases. Your Committees find that this discrepancy has hampered the rate of affordable housing development for beneficiaries.

Your Committees further find that some Hawaiian home lands that could be used for affordable housing development are often, out of necessity, used for developing public schools, public charter schools, and early learning facilities in order to support the educational

needs of homestead communities. Notwithstanding, the Department of Hawaiian Home Lands would be required to pay school impact fees when developing new housing projects but for an exemption pursuant to Act 197, Session Laws of Hawaii 2021 (Act 197), which expires in 2024.

Your Committees further find that to help address the need for new affordable housing, through Act 141, Session Laws of Hawaii 2009 (Act 141), the Department of Hawaiian Home Lands is authorized to use affordable housing credits to attract more affordable homestead development opportunities through developer-financed projects. However, your Committees also find that this invaluable housing credit program is set to expire in 2024.

Therefore, this measure exempts any housing development for the Department of Hawaiian Home Lands from general excise taxes and school impact fee requirements and extends the county affordable housing credit program for the Department of Hawaiian Home Lands.

Your Committees have heard the testimony of the Department of the Attorney General, expressing concerns that this measure's amendment to the lapse date for the \$600,000,000 in general funds pursuant to Act 279, Session Laws of Hawaii 2022 (Act 279), may be subject to constitutional challenge because of its unspecified appropriation date. The Department of the Attorney General testified that article VII, section 11, of the Hawaii State Constitution generally restricts appropriations from exceeding a period of three years.

Further, in regards to the school impact fee exemption, the Department of the Attorney General testified that Act 197 is set to expire on July 1, 2024, and that an amendment to eliminate the sunset provision is necessary if this measure's intent is to make the school impact fee exemption permanent.

Your Committees have also heard the testimony of the Department of Hawaiian Home Lands, requesting that the general excise tax exemption language for housing development be broadened to include both developments of homestead lots and housing, to help facilitate developments on agricultural and pastoral lots, which are included under homestead lots.

Finally, your Committees have heard the testimony of the Department of Taxation, requesting that the effective date of this measure be amended to January 1, 2024, instead of upon approval, due to the tax form and system changes necessary to implement this measure.

Therefore, your Committees have amended this measure by:

- (1) Expanding the exemption from general excise taxes and school impact fee requirements to both developments for homestead lots and housing;
- (2) Deleting the proposed section that would have extend the general funds lapse date to an unspecified date for the \$600,000,000 appropriation to the Department of Hawaiian Home Lands pursuant to Act 279;
- (3) Making the exemptions from school impact fee requirements and the issuance of county affordable housing credits permanent by striking the sunset provisions;
- (4) Amending the purpose section of Part II, to reflect its amended purpose;
- (5) Amending the effective date to January 1, 2024; 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 Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 448, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 448, 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 (Ihara, Fevella). Noes, none. Excused, none.

Housing: Ayes, 5; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

#### **SCRep. 221 Hawaiian Affairs on S.B. No. 1235**

The purpose and intent of this measure is to clarify certain ambiguities as to the purpose, scope, and duration of the working group established by Act 226, Session Laws of Hawaii 2022 (Act 226). Specifically, this measure:

- (1) Clarifies that the working group established by Act 226 is a temporary public land trust working group within the Office of the Governor for administrative purposes only;
- (2) Provides that the working group's sole purpose shall be to compile a definitive inventory of public land trust lands; and
- (3) Amends the composition of the working group and authorizes the working group to hire staff.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and one individual. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that, pursuant to Act 226, a working group was established to: (1) conduct an accounting of all ceded lands in the public lands trust inventory; (2) conduct an accounting of all income and proceeds derived from the public land trust; and (3) to transfer the twenty percent pro rata share of income and proceeds from the public land trust to the Office of Hawaiian Affairs for the betterment of the conditions of Native Hawaiians.

However, your Committee finds that Act 226 contains certain ambiguities as to the working group's purpose, scope, and duration. Therefore, this measure clarifies that the public land trust working group shall be temporary in nature and will be placed within the Office of the Governor, and provides that the working group's sole special purpose is to compile a definitive inventory of all lands that comprise the public land trust.

Your Committee has heard the testimony of the Department of Budget and Finance expressing concerns that this measure would eliminate two key roles established by Act 226, namely, the working group's role to account for all income and proceeds from the public land trust and its role to determine the amount of the twenty percent pro rata share of income from the public land trust due to the Office of Hawaiian Affairs.

Your Committee also heard the testimony of the Office of Hawaiian Affairs, expressing concerns, among other things, that this measure's removal of the word "ceded" from the working group's role to "inventory all ceded lands", is in error, because the public land trust inventory is only a subset of the ceded lands inventory.

Therefore, your Committee has amended this measure by:

- (1) Retaining the original language of Act 226 that requires the working group to compile and inventory all ceded lands;
- (2) Clarifying that the working group shall have the primary special purpose, as opposed to a sole purpose, to compile an inventory of all ceded lands in the public trust;
- (3) Retaining the working group's two ancillary roles, specifically, its role to conduct an accounting of all income and proceeds derived from the public land trust and its role to transfer the twenty percent pro rata share of income and proceeds from the public land trust;
- (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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1235, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1235, 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. 222 Hawaiian Affairs on S.B. No. 1356**

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 (HHCA), as amended, or administrative rules, and allow the adopted individual and individual's natural family to continue having the same familial relationship.

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 Ho'omana Pono, LLC 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. This measure allows 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. Importantly, this measure does not alter any requirements under the HHCA, such as the definition of native Hawaiian, beyond the recognition of a relationship between individuals.

Your Committee notes the testimony of Ho'omana Pono, LLC, and one individual who submitted testimony in opposition, expressing concerns that this measure would allow people who are not native Hawaiian to succeed to a homestead lease through adoption. However, your Committee notes the testimony of the Department of Hawaiian Home Lands, clarifying that this measure is intended to help native Hawaiian children whose biological parents are on the homestead waiting list succeed to a lease, who would otherwise lose that legal ability as an unintended consequence of the State's adoption of the Uniform Probate Code.

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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1356, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1356, 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. 223 Hawaiian Affairs on S.B. No. 1357**

The purpose and intent of this measure is to:

- (1) Make permanent Act 141, Session Laws of Hawaii 2009, which requires the counties to issue affordable housing credits to the Department of Hawaiian Home Lands upon request; and
- (2) Make permanent Act 98, Session Laws of Hawaii 2012, which requires the counties to issue affordable housing credits for each residential unit developed by the Department of Hawaiian Home Lands.

Your Committee received testimony in support of this measure from the Office of the Governor; Department of Hawaiian Home Lands; and Dowling Company, Inc. Your Committee received comments on this measure from NAIOP Hawaii.

Your Committee finds that affordable housing credits have been utilized by the Department of Hawaiian Home Lands to provide affordable housing opportunities for its beneficiaries at no cost to the State. This program allows for the purchase of additional land in

a location that beneficiaries are interested in but where the Department has no available land in the area, and results in a reduction in the price of housing units offered by homebuilders on Hawaiian home lands. Therefore, this measure makes permanent the affordable housing credit program for the Department of Hawaiian Home Lands.

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 Hawaiian Affairs 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 Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 224 (Majority) Transportation and Culture and the Arts on S.B. No. 1046**

The purpose and intent of this measure is to amend the vehicle weight tax exemption for noncommercial vehicles by removing the exemption for military reserves and other active duty military personnel and replacing it with an exemption for certain veterans.

Your Committee received testimony in support of this measure from the Department of Defense Office of Veterans' Services, Environmental Caucus of the Democratic Party of Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from the United States Indo-Pacific Command, United States Army Pacific Headquarters, and Chamber of Commerce Military Affairs Committee. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that active duty military, reservists, and National Guard members who claim legal residency in Hawaii and are stationed in the State may exempt one privately owned vehicle from the state vehicle weight tax. Presently, the exemption mirrors the federal government, which authorizes one vehicle to be shipped as a result of permanent change of station orders, regardless of family size.

Your Committee has amended this measure by:

- (1) Retaining the vehicle weight tax exemption for military reserves and other active duty military personnel;
- (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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1046, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1046, 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 (Awa). Excused, none.

**SCRep. 225 (Majority) Transportation and Culture and the Arts on S.B. No. 965**

The purpose and intent of this measure is to:

- (1) Establish green infrastructure objectives and policies for transportation systems, infrastructure, and projects; and
- (2) Establish the Green Transportation Infrastructure Task Force to examine, evaluate, and develop policies for the design, implementation, and maintenance of green transportation infrastructure.

Your Committee received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaptation Commission; Department of Land and Natural Resources; Department of Transportation; Trees for Honolulu's Future; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; International Union of Painters and Allied Trades, District Council 50; The Outdoor Circle; and nine individuals. Your Committee received testimony in opposition to this measure from seven individuals.

Your Committee finds that sustainable design concepts for public infrastructure incorporate green vegetation and trees to decrease urban temperatures, reduce carbon emissions, improve air quality, and capture water to replenish the water table. The effects of climate change have made the implementation of sustainable design concepts more critical. Studies have also determined that people who live in areas that have more trees and green space are less likely to develop chronic diseases such as acute respiratory symptoms and other heart and respiratory diseases. Additionally, mental health and quality of life improvements are two benefits from sustainable design concepts. To utilize the State's world-renowned green spaces, establishing objectives and policies for transportation, infrastructure, and projects that incorporate green transportation infrastructure may improve the quality of life for all residents.

Your Committee has amended this measure by:

- (1) Authorizing the Director of Transportation to grant exemptions to projects when safety is a concern or other considerations as necessary; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 965, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 965, 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 (Awa). Excused, none.

**SCRep. 226      Transportation and Culture and the Arts on S.B. No. 1166**

The purpose and intent of this measure is to authorize the renewal of a driver's license by mail or online.

Your Committee received testimony in support of this measure from the Department of Customer Services of the City and County of Hawaii and three individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that driver's license renewals can be a cumbersome, tedious process for many Hawaii drivers. Traditionally, Hawaii drivers have to appear in-person at a driver's licensing center to renew their license, a process that can take a significant amount of time if centers are inundated with customers. To ensure that all Hawaii drivers have the ability to conveniently renew their driver's licenses before expiration, this measure authorizes renewal of driver's licenses by mail or online.

Your Committee has amended this measure by:

- (1) Retaining the requirement that an applicant renewing a driver's license by mail or online submit a notarized statement and a physician's statement six months before the expiration date of the applicant's license; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1166, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1166, 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. 227      Transportation and Culture and the Arts on S.B. No. 784**

The purpose and intent of this measure is to:

- (1) Require the Department of Transportation to establish and implement a one-year Airline Subsidy Pilot Program at Molokai Airport to assist airlines in offsetting the costs of operation; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Transportation and two individuals.

Your Committee finds that since January 2021, only one passenger airline has provided service to the general public out of Molokai Airport. While the airline has done its best to accommodate the needs of passengers, including additional routes, flight times, and ordering larger planes, the cost of plane tickets remains prohibitive to many Molokai residents who need to travel for essential reasons, including work, medical appointments, and family. To alleviate cost burdens for passengers reliant on air travel to and from Molokai, implementing a one-year Airline Subsidy Pilot Program may provide incentives for airlines to service Molokai.

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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 784, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 784, 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 (Elefante).

**SCRep. 228      Transportation and Culture and the Arts on S.B. No. 1505**

The purpose and intent of this measure is to prohibit the issuance of permits for the mooring of vessels engaged in certain activities.

Your Committee received testimony in support of this measure from the Department of Transportation, Surfrider Foundation, Mālama Pūpūkea-Waimea, Parley for the Oceans, and Benioff Ocean Science Laboratory. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that illegal or harmful activity throughout the Pacific Ocean has increased. In many cases, foreign vessels entered new areas of the Pacific Ocean to traffic illegal commodities. Other foreign vessels have frequently entered other nations' protected areas to collect resources to the detriment of local communities and are beginning to scout waters near the State to conduct undersea mining, which poses a significant threat of irreparable harm to the State's undersea ecosystems. Prohibiting the issuance of permits for mooring in State harbors for vessels engaged in illegal activity may assist in the protection of the State's fragile aquatic resources.

Your Committee has amended this measure by:

- (1) Deleting language that would have authorized the Department of Transportation to deny the issuance of a permit under certain circumstances;
- (2) Inserting statutory language establishing when the Department of Transportation may implement restrictions on the use of State commercial harbor facilities; and
- (3) Specifying that the unpermitted or unlicensed collection or extraction of undersea minerals triggers the Department of Transportation's ability to restrict use of State commercial harbor facilities.



As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1505, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1505, 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. 229 Transportation and Culture and the Arts on S.B. No. 1404**

The purpose and intent of this measure is to:

- (1) Authorize the Department of Transportation Airports Division to be reimbursed from any airport contract, tenant, or user for the entire amount of fines and penalties levied for the violation of federal, state, or county laws related to environmental protection or the United States Department of Homeland Security; and
- (2) Authorize the Department of Transportation Airports Division to enter into a capital advancement contract with a private party for certain public improvement or construction projects at airports statewide.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that over the last three years, the Transportation Security Administration fined the Department of Transportation approximately \$150,000 for violations caused by tenants and contractors at state airports. Authorizing reimbursements for fines incurred from federal, state, or county agencies empowers the Department of Transportation to maximize the utilization of funds for airport improvements. Additionally, your Committee further finds that authorizing the Department of Transportation to enter into capital advancement contracts for airport improvements will allow for increased efficiency in improvement projects that will benefit all travelers at state airports. Therefore, empowering the Department of Transportation with regard to state airports allows the Department to complete projects in a timely manner while also achieving state infrastructure and policy goals.

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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1404, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1404, 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 (Elefante).

**SCRep. 230 Transportation and Culture and the Arts on S.B. No. 1400**

The purpose and intent of this measure is to:

- (1) Increase the total contract value and total aggregate value of capital advancement contracts entered into by the Department of Transportation for harbor improvements; and
- (2) Require a report to the Legislature.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii Harbor Users Group; Young Brothers, LLC; and Matson Navigation Company, Inc.

Your Committee finds that existing law authorizes the Department of Transportation Harbors Division to enter into capital advancement contracts with private parties for any public improvement to or construction of a state harbor facility when the Director of Transportation determines that a capital advancement contract promotes the best interest of the State. Capital advancement contracts serve as an effective tool to expedite project delivery, especially for projects that increase port resilience and operational efficiency. However, current limits to capital advancement contracts restrict the Department of Transportation and the types of projects that can be completed under capital advancement contracts. Increasing the current limits on capital advancement contracts will provide greater flexibility to achieve project and infrastructure goals and ensure that the Department of Transportation can accomplish more in improving harbors facilities throughout 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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1400, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1400, 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 (Elefante).

**SCRep. 231 Transportation and Culture and the Arts on S.B. No. 823**

The purpose and intent of this measure is to:

- (1) Provide an exemption for flatbed trucks from registration renewals and initial registrations of motor carrier vehicles when used as marine terminal equipment temporarily moving in or between certain terminals; and
- (2) Add new terminal locales and roadways to be covered under the exemption.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii Stevedores, Inc.; and seventy-four individuals.

Your Committee finds that existing law limits the public roadways upon which the marine terminal equipment may be operated without a valid motor vehicle registration. Exemptions promote operational efficiencies in loading, offloading, and the movement of cargo. However, your Committee notes that while the exemptions assist with movement at state harbors, the inclusion of heavily used highways and arteries may create congestion and inefficiencies in other sectors of the State's transportation system. Therefore, to promote continued support of the State's commercial harbors, while also recognizing other transportation sectors utilized on a daily basis, clarification to exempted roadways is needed.

Your Committee has amended this measure by restricting the exemption for Nimitz Highway to be from 8:30 a.m. to 3:00 p.m., and from 6:30 p.m. to 5:30 a.m.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 823, 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. 232      Transportation and Culture and the Arts on S.B. No. 929**

The purpose and intent of this measure is to require the Department of Transportation Highways Division to implement recommendations made by the Office of the Auditor regarding compliance with federal funding laws and regulations and information technology authentication.

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

Your Committee finds that the Office of the Auditor conducted a financial and compliance audit of the Department of Transportation Highways Division, and the audit report was issued on February 3, 2022. The audit examined the financial statements relating to government activities and each major fund of the Highways Division for the 2020-2021 fiscal year. As the Highways Division managed federal funding for projects within the State, the audit report focused on ensuring compliance with federal laws and regulations relating to such funding.

However, the audit report made several findings relating to one material weakness and one significant deficiency in internal control over financial reporting, and two significant deficiencies in internal control over compliance. While the Department of Transportation concurred with the findings and developed corrective action plans, further action is needed to ensure compliance with federal laws and regulations.

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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 929, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 929, 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 (Awa).

**SCRep. 233      Transportation and Culture and the Arts on S.B. No. 214**

The purpose and intent of this measure is to establish the offense of interference with the operation of a public transit vehicle.

Your Committee received testimony in support of this measure from the Department of Transportation Services of the City and County of Honolulu and Honolulu Police Department.

Your Committee finds that the counties operate multimodal transit services that support the health and well-being of residents and visitors, and provide essential business and activities statewide while also providing reliable transportation services. Existing law establishes the offense of interference with the operator of a public transit vehicle, which involves conduct that injures or threatens the operator of a public transit vehicle. However, conduct that impedes the public transit system is not similarly addressed. To ensure that the operation of public transit vehicles are also protected from intentional damage, this measure establishes the offense of interference with the operation of a public transit vehicle.

Your Committee has amended this measure by:

- (1) Clarifying that the damage of a public transit vehicle resulting in the vehicle's removal of service or unreasonable interruption of a public transit system or service shall be construed as the offense of interference with the operation of a public transit vehicle; 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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 214, as amended herein, and recommends 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 Chair on behalf of the Committee.

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

**SCRep. 234 (Majority) Transportation and Culture and the Arts on S.B. No. 1092**

The purpose and intent of this measure is to make driving without a license a civil violation, punishable by fines of not less than \$50 and not more than \$300.

Your Committee received testimony in support of this measure from the Office of the Public Defender and American Civil Liberties Union of Hawai'i. Your Committee received testimony in opposition of this measure from the Department of Transportation and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that Act 214, Session Laws of Hawaii 1993, aimed to "improve the system by which traffic offenses presently are being processed in order to dispose expeditiously of these cases". By decriminalizing certain traffic offenses that were not considered serious through the implementation of a program for drivers to settle their fines in less adversarial settings, the State's resources could be expended for more serious cases and allowed law enforcement to focus on their patrol duties. The stress of criminal prosecution, rather than civil litigation, for certain violations has severely strained the criminal justice process, requiring extensive resources while very few cases are resolved through a trial on the merits. To streamline the criminal justice process, while also ensuring fair penalties are administered commensurate to the violation, this measure re-examines penalties for certain traffic violations.

Your Committee has amended this measure by:

- (1) Inserting blank amounts for the proposed minimum and maximum fines for driving without a license;
- (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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1092, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1092, 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 (Inouye). Noes, 1 (Awa). Excused, none.

**SCRep. 235 (Majority) Transportation and Culture and the Arts on S.B. No. 1410**

The purpose and intent of this measure is to prohibit operation of a pickup truck with any passengers seated in the bed or load-carrying area unless in an emergency or an officially authorized parade, caravan, or exhibition.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that riding in the bed or load-carrying area of a pickup truck is unsafe and dangerous. Presently, Hawaii law allows for several exemptions for a person to ride in the bed or load-carrying area of the pickup truck. However, in the event of sudden stops or a serious collision, riders in the bed or load-carrying area may be susceptible to serious injuries or death. Prohibiting riders in the bed or load-carrying area of pickup trucks may reduce unnecessary traffic-related injuries or deaths and protect all roadway users 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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1410, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1410, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 236 Transportation and Culture and the Arts on S.B. No. 1411**

The purpose and intent of this measure is to:

- (1) Specify that funds in the State Highway Fund may be expended for the cost of establishing and maintaining a drug and alcohol toxicology testing laboratory;
- (2) Specify that the Department of Transportation is required to administer, with the Department of Health or the City and County of Honolulu expending funds in the State Drug and Alcohol Toxicology Testing Special Fund;
- (3) Amend references to the State Drug and Alcohol Toxicology Testing Laboratory Special Fund;
- (4) Authorize the Department of Health or City and County of Honolulu to expend funds from the Drug and Alcohol Toxicology Testing Special Fund for the establishment and maintenance of a drug and alcohol toxicology and testing laboratory; and
- (5) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawai'i Police Department, and Mothers Against Drunk Driving. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that Act 196, Session Laws of Hawaii 2021, established the State Drug and Alcohol Toxicology Testing Laboratory Special Fund to support a state drug and alcohol toxicology testing laboratory. While Act 119, Session Laws of Hawaii 2022, appropriated funds from the State Highway Fund to the State Drug and Alcohol Toxicology Testing Laboratory Special Fund,

there is an immediate and urgent need for blood alcohol testing that cannot be entirely fulfilled by the Department of Health. Although the City and County of Honolulu Emergency Services Department has the capability to conduct blood alcohol testing for all counties, further resources are needed to prevent a backlog of testing while keeping Hawaii's communities safe.

Your Committee has amended this measure by:

- (1) Replacing the Department of Health with the Department of Transportation as the expending agency of the Drug and Alcohol Toxicology Testing Laboratory Special Fund;
- (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 Transportation and Culture and the Arts 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 Ways and Means.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 237 (Majority) Transportation and Culture and the Arts on S.B. No. 990**

The purpose and intent of this measure is to:

- (1) Establish a traffic fines task force that will examine the Finnish tiered traffic fines system;
- (2) Determine whether a similar system could be implemented in Hawaii;
- (3) Provide recommendations as to how a system could be implemented; and
- (4) Appropriates funds.

Your Committee received comments on this measure from the Judiciary and Matson Navigation Company, Inc.

Your Committee finds that fines for speeding generally serve the purpose of deterring such activities. However, flat fines, which apply to any speeding driver, can be ineffective deterrents upon wealthy offenders since a person with access to monetary resources can play a flat fine with ease. In contrast, Finland utilizes a scaled system for its traffic fines, in which the amount that an offender must pay is based upon that offender's income, with higher yearly incomes resulting in higher fines. However, to implement a tiered traffic fine system similar to Finland in Hawaii, further research and data collection are needed to develop a mathematic equation or other process by which an offender's fine is calculated in relation to their income.

Your Committee has amended this measure by:

- (1) Adding a representative from the cargo industry to 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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 990, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 990, 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, 1 (Awa). Excused, none.

**SCRep. 238 (Majority) Transportation and Culture and the Arts on S.B. No. 385**

The purpose and intent of this measure is to:

- (1) Establish registration requirements and driver's licensing requirements for the operation of electric rickshaws; and
- (2) Define "electric rickshaw".

Your Committee received testimony in support of this measure from Las Vegas Tuk Tuk, LLC.

Your Committee finds that the e-Tuk vehicle, an electric rickshaw certified by the United States Department of Transportation, is an emerging zero-emission vehicle ubiquitous in Asia, and now operates in thirty-two states. As a zero-emission vehicle, the e-Tuk electric rickshaw can be designed to transport multiple people. As the State seeks to achieve its clean energy goals and policies, the introduction and implementation of electric rickshaws may provide residents and tourists with a cleaner alternative mode of 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 385, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 385, 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, 1 (Awa). Excused, none.

**SCRep. 239 (Majority) Transportation and Culture and the Arts on S.B. No. 587**

The purpose and intent of this measure is to:

- (1) Increase the minimum and maximum fines for violating provisions relating to the installation of noisy mufflers; and
- (2) Authorize police officers with probable cause to stop vehicles with noisy mufflers to inspect their mufflers.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from 808 Streets, Ohana Tinting LLC, Specialty Equipment Market Association, and eighty-four individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that many residents throughout the State have complained of the growing noise pollution and disturbances from loud mufflers on motor vehicles, predominantly motorcycles. The complaints claim that the noise level adversely affects sleep, particularly in the early morning hours or late at night. While existing state law currently prohibits vehicle owners from installing mufflers that increase the noise of the vehicle, penalties are minimal and do little to deter individuals from violating current muffler laws. Your Committee recognizes that protecting public health and safety, while improving the quality of life for all Hawaii residents, is a priority of the Legislature. Therefore, this measure will enhance the State's current muffler laws by increasing minimum and maximum fines for violations, as well as the increase of enforcement efforts.

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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 587, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 587, 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 (Inouye). Noes, 1 (Awa). Excused, none.

**SCRep. 240 (Majority) Transportation and Culture and the Arts on S.B. No. 586**

The purpose and intent of this measure is to:

- (1) Specify that a certificate of inspection shall be issued if a vehicle is not equipped with a noisy muffler or exhaust system;
- (2) Require rules regarding safety check inspections to ensure that a motorcycle, moped, or motor vehicle is not equipped with a noisy muffler or exhaust system;
- (3) Suspend, revoke, or refuse renewal of a permit for an official inspection station upon a third or subsequent wilful violation of any rule regarding inspection of noisy muffler or exhaust system;
- (4) Establish violations of noisy muffler laws as a petty misdemeanor; and
- (5) Include repairs or installation of a noisy muffler or exhaust system as a prohibited practice for motor vehicle repair regulations.

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 Specialty Equipment Market Association.

Your Committee finds that many residents throughout the State have complained of the growing noise pollution and disturbances from loud mufflers on motor vehicles, which are often outfitted with aftermarket parts to exceed factory settings. The complaints claim that the noise level adversely affects sleep, particularly in the early morning hours or late at night. To protect public health and safety, while improving the quality of life for all residents, this measure enhances existing muffler laws by increasing minimum and maximum fines for violations and increases enforcement efforts.

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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 586, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 586, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 241 (Majority) Transportation and Culture and the Arts on S.B. No. 1056**

The purpose and intent of this measure is to clarify that the engineering study required before the setting of a maximum speed limit shall not apply to reductions of maximum speed limits.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawai'i Bicycling League.

Your Committee finds that the safety of Hawaii's road users are an utmost priority to the Legislature. Furthermore, due to the multitude of roadways that pass through residential areas with a heavy population of road users, your Committee recognizes the need for further safety precautions. In existing state law, engineering studies are required before establishing a maximum speed limit. In order to promote safety and allow flexibility for lowering speeds, this measure will eliminate the required engineering studies for the reduction of maximum speed limits.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1056 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 (Awa). Excused, none.

**SCRep. 242 Transportation and Culture and the Arts on S.B. No. 989**

The purpose and intent of this measure is to:

- (1) Prohibit trespass with an unmanned aircraft system, with exceptions; and
- (2) Establish a penalty.

Your Committee received testimony in support of this measure from Honolulu Tower Association of Apartment owners and one individual.

Your Committee finds that the proliferation of unmanned aircraft systems, commonly called drones, has led to privacy and public safety concerns for individuals, especially when drones are flown over private property. Presently, the State does not adequately address these situations that involve trespassing on private property with a drone. To protect the individual privacy of all people, prohibiting drone operation over private property, under certain circumstances, may help to address health, safety, and privacy concerns.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 989 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 (Elefante).

**SCRep. 243 Transportation and Culture and the Arts on S.B. No. 1173**

The purpose and intent of this measure is to:

- (1) Prohibit a person from causing a diesel or gas-powered vehicle to discharge clearly visible smoke, soot, or other exhaust emissions onto another person or motor vehicle; and
- (2) Establish penalties.

Your Committee received testimony in opposition to this measure from Hawaii Transportation Association and one individual.

Your Committee finds that emissions from motor vehicles are one of the greatest sources of manmade pollution. The practice of intentional discharge of diesel exhaust, also known as “rolling coal”, occurs when modifications to a vehicle’s parts are adjusted to bypass pollution controls. The usage of “defeat devices”, including electronic programmers or “tuners” adjust fuel and timing settings while also turning off certain emission controls that are designed to inhibit the release of visible exhaust.

Your Committee further finds that pollution in exhaust can aggravate asthma, allergies, and cardiovascular and respiratory diseases. Additionally, the discharge of clearly visible exhaust emissions also emits harmful chemicals, toxins, and other pollutants into the environment. Prohibiting clearly visible discharge from exhaust emissions will protect Hawaii’s people from harmful emissions, while also protecting the environment from air contaminants.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1173 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. 244 (Majority) Transportation and Culture and the Arts on S.B. No. 1406**

The purpose and intent of this measure is to replace the fine schedule of vehicle weight violations by increasing potential fines based on the magnitude of vehicle weight violations.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the State’s transportation infrastructure supports thousands of residents each day. However, large private and commercial vehicles that exceed weight limits may place undue burdens on the State’s transportation infrastructure. To preserve roadways, bridges, and other transportation infrastructure across the State, simplifying the definitions of legal vehicle weights for commercial vehicles will prevent confusion and provide uniform applicability. Therefore, this measure will revise the fine schedules to a scale that charges vehicles for each pound that exceeds the one hundred pound limit, while also removing the arbitrary fine limit of \$1,160.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1406 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 (Awa). Excused, none.

**SCRep. 245 Transportation and Culture and the Arts on S.B. No. 1405**

The purpose and intent of this measure is to create consistency with federal weight limits for gross vehicle weight and axle loads traveling on all public roadways.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the State's transportation infrastructure supports thousands of travelers daily. However, large, overweight, private and commercial vehicles may place undue burdens on the State's transportation infrastructure, which may lead to additional, costly maintenance, or repair costs. Your Committee further finds that, in order to preserve roadways, bridges, and other State transportation infrastructure, consistency and statewide simplification for vehicle weight limits must be enforced. Therefore, this measure will provide clarity by simplifying the definitions of legal weights for commercial vehicles.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1405 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. 246 Agriculture and Environment on S.B. No. 516**

The purpose and intent of this measure is to require that the identity statement used for labeling or advertising hemp products specify the percentage of Hawaii grown hemp and hemp of other origins contained in hemp products.

Your Committee received testimony in support of this measure from the Department of Agriculture and Hawai'i Hemp Farmers Association. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that with the relaxation of cannabis laws across the nation, the hemp plant is burgeoning as a lucrative crop and commodity. The Hawaii hemp cannabinoid market is estimated to be worth \$32,000,000 to \$52,000,000 annually, but most of that money flows to out-of-state hemp farmers and businesses due in part to Hawaii residents not being able to differentiate between products made with imported hemp and products made with Hawaii-grown hemp. Your Committee additionally finds that Hawaii hemp farmers face the highest costs of production among hemp farmers in the United States. In order to ensure that hemp farmers in Hawaii are not crowded out in the marketplace by out-of-state competitors, this measure will require that hemp products for sale in the State advertise the percentage of Hawaii grown hemp on the product label to inform consumers as to which products, and how much of which, is sourced from hemp grown in Hawaii.

Your Committee acknowledges the testimony received from the Department of Agriculture, which recommends an appropriation for one full-time (1.0 FTE) measurements standards inspector for the purpose of labeling, packaging enforcement, and inspection. The inspector is necessary to help rebuild the Department of Agriculture's labeling enforcement capability and address labeling enforcement challenges in various Hawaii products, including inspecting and verifying the percentage of Hawaii coffee and coffee of other origins contained in roasted coffee, instant coffee, and ready-to-drink coffee beverages. Should your Committee on Ways and Means choose to deliberate on this measure, we respectfully request that it considers the Department's recommendation.

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. 516 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. 247 Agriculture and Environment on S.B. No. 746**

The purpose and intent of this measure is to:

- (1) Expand coffee labeling and advertising requirements to include ready-to-drink coffee beverages and inner packages and inner wrapping labels;
- (2) Require disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees; and
- (3) Prohibit use of the term "All Hawaiian" in labeling or advertising for roasted coffee or instant coffee not produced entirely from green coffee beans grown and processed in Hawaii.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council; Kananani Ohana Farm; Life of the Land; Hawaiian Macadamia Nut Orchards; Adaptations, Inc.; Ka Ohana O Na Pua; Cassandra Farms; Hawaii Tea Society; Maui Farmers Union United; Hana Macadamia; Hawai'i Farmers Union United; Hawai'i Alliance for Progressive Action; Kona-Kohala Chamber of Commerce; Kona Coffee Farmers Association; Cyanotech Corporation; Pohaku Coffee, LLC; Hawai'i Farm Bureau; and thirty-eight individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that Hawaii's coffee is renowned for its high quality and flavor, and many of the coffees produced in the State have won multiple global coffee competitions. Your Committee further finds that this success has led some market competitors to exploit this reputation for profit by selling coffee blends that contain up to ninety percent cheap and low quality coffee from foreign countries. This measure will protect the reputation of Hawaii's coffee and support Hawaii's coffee farmers by expanding labeling requirements, requiring disclosure on labels of coffee bean geographic and regional origins, and prohibiting the use of the term "All Hawaiian" on coffee products that are not one hundred percent made up of green coffee beans that were grown and processed in Hawaii.

Your Committee acknowledges the testimony received from the Department of Agriculture, which recommends an appropriation for one full-time (1.0 FTE) measurements standards inspector for the purpose of labeling, packaging enforcement, and inspection. The inspector is necessary to help rebuild the Department of Agriculture's labeling enforcement capability and address labeling enforcement challenges in various Hawaii products, including inspecting and verifying the percentage of Hawaii coffee and coffee of other origins contained in roasted coffee, instant coffee, and ready-to-drink coffee beverages. Should your Committee on Ways and Means choose to deliberate on this measure, we respectfully request that it considers the Department's recommendation.

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. 746 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. 248      Agriculture and Environment on S.B. No. 789**

The purpose and intent of this measure is to:

- (1) Prohibit the construction of new farm dwellings on agricultural park lots beginning January 1, 2024; and
- (2) Prohibit residence within an unpermitted farm dwelling and authorize inspections for enforcement.

Your Committee received testimony in support of this measure from nine individuals. Your Committee received testimony in opposition to this measure from four individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the emergence of farm dwellings on agricultural park lots has contributed to community complaints concerning dust, noise pollution, and other nuisances arising from the residential use of farm dwellings, particularly on Maui. This measure therefore prohibits construction of any new farm dwellings on agricultural park lots beginning January 1, 2024; prohibits the residence within any unpermitted farm dwelling on agricultural park lots; and authorizes inspections for enforcement.

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. 789 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. 249      Agriculture and Environment on S.B. No. 836**

The purpose and intent of this measure is to authorize the Agribusiness Development Corporation to acquire property through condemnation.

Your Committee received testimony in support of this measure from the Agribusiness Development Corporation and Hawai'i Farm Bureau. Your Committee received comments on this measure from Pacific Agricultural Land Management Systems.

Your Committee finds that the Agribusiness Development Corporation was established to help transition Hawaii's agricultural sector from its plantation-based roots to one characterized by smaller-diversified agricultural operations. Over the past decade, the Agribusiness Development Corporation has made significant progress in its mission but continues to face major logistical challenges such as funding and land and infrastructure development issues. Your Committee further finds that the Agribusiness Development Corporation heavily relies on land availability in the State to fulfil its mandate. Thus, this measure authorizes the Agribusiness Development Corporation to acquire property by condemnation to significantly increase the available agricultural lands under the State's control, which will allow the Agribusiness Development Corporation to provide more farmers with long-term leases thereby enhancing the economic viability of Hawaii's 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. 836 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. 250      Agriculture and Environment on S.B. No. 966**

The purpose and intent of this measure is to allow as punishment for felony disposal of solid waste and petty misdemeanor disposal of solid waste, forfeiture of any vehicle used in the commission of the offense.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and two individuals.

Your Committee finds that illegal dumping involves the unauthorized disposal of numerous types of waste usually by personal or commercial vehicle. Typical materials dumped illegally include building materials from construction sites such as drywall, roofing shingles, lumber, brick, concrete, and siding, automobile parts, household appliances, household waste, furniture, yard scraps, and medical waste, the dumping of which often relies on a commercial or personal vehicle for transport. Your Committee further finds that the effects of illegal dumping include health, environmental, and economic consequences. Since illegal dumping occurs without the same precautionary safeguards that are required at legal waste disposal locations, such as landfills, it can lead to pollution of the surrounding environment through the spread of hazardous materials, which can infiltrate the air, soil, and drinking water sources. Thus, this measure will curtail future illegal dumping and protect the environment by adding to the fines of \$50,000 and \$25,000 for



felony and petty misdemeanor offense, respectively, the forfeiture of any vehicle owned and operated by the person in the commission of the offense.

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. 966 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. 251 Agriculture and Environment on S.B. No. 650**

The purpose and intent of this measure is to require the Department of Agriculture to conduct a feasibility study to identify potential sites on the island of Oahu for an aquaculture park that promotes commercial aquaculture expansion.

Your Committee received testimony in support of this measure from the Department of Agriculture, Kohala Mountain Fish Company, Hawaii Aquaculture and Aquaponics Association, Hawai'i Farm Bureau, and one individual. Your Committee received comments on this measure from the Department of Research and Development of the County of Hawaii.

Your Committee finds that the enduring success of the Natural Energy Laboratory of Hawaii on Hawaii island clearly demonstrates the benefits of the master-permitted aquaculture park concept in the State, and believes that it would be beneficial for the State to identify other possible sites for another potential aquaculture park operation. This measure requires the Department of Agriculture to conduct a feasibility study to identify potential sites in the State for an aquaculture park to promote commercial aquaculture expansion.

Accordingly, your Committee has amended this measure by expanding the feasibility study to include potential sites throughout the State, instead of just on the island of Oahu.

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. 650, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 650, 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. 252 Agriculture and Environment on S.B. No. 662**

The purpose and intent of this measure is to appropriate funds for a capital improvement project for the Honalo Marshalling Yard.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Research and Development of the County of Hawai'i; Hawai'i 'Ulu Cooperative; Ulupono Initiative; Farm Link Hawaii; OK Farms, LLC; Island Harvest, Inc.; Hawai'i Farmers Union United; Food+ Policy Internship 2023; Ka Ohana O Na Pua; Watson-Kabei Coffee Estate; Hawai'i Farm Bureau; and fifteen individuals.

Your Committee finds that the state-owned Honalo Marshalling Yard is currently leased by the Kona Producers Cooperative and Hawai'i Ulu Cooperative through the Department of Agriculture. The facility processes ulu, also known as breadfruit, and secondary crops like sweet potato. Your Committee recognizes that the Honalo Marshalling Yard is in need of vital infrastructure improvements to support the operations of its current lessees. Thus, this measure will support upgrades of the infrastructure at Honalo Marshalling Yard, which will increase the aggregation, processing, and storage manufacturing capacity from 350,000 pounds to 2,000,000 pounds of ulu per year, thereby supporting Hawaii's agriculture sector and enhancing food security in the State.

Your Committee acknowledges the recommendation raised in testimony by the Department of Agriculture, to include a construction cost element in the capital improvement project financing language. They additionally note that the construction cost element is necessary to support the construction of the facility improvements and increase the production of the capacity of the facility.

Your Committee has amended this measure by:

- (1) Including the English name for ulu, breadfruit, in the preamble for readability purposes; 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. 662, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 662, 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. 253 Agriculture and Environment on S.B. No. 1268**

The purpose and intent of this measure is to make technical changes to the statutory definitions of "agricultural enterprise lands" and "non-agricultural park lands" for the purposes of clarity and consistency.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau.

Your Committee finds that Act 221, Session Laws of Hawaii 2022, established the Agricultural Enterprise Program as chapter 141D, Hawaii Revised Statutes. This measure makes technical changes to this chapter and a relating chapter to the statutory definitions of "agricultural enterprise lands" and "non-agricultural park lands" respectively, for the purposes of clarity and consistency.

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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1268, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1268, 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. 254      Agriculture and Environment on S.B. No. 1552**

The purpose and intent of this measure is to appropriate funds to support the Hawaii Ant Lab in mitigating the effects of little fire ants in the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Agriculture, Hawaii Pest Control Association, Hawai'i Farm Bureau, Environmental Caucus of the Democratic Party of Hawai'i, and six individuals.

Your Committee finds that the little fire ant is designated as one the world's top one hundred worst invasive species by the International Union for the Conservation of Nature, due to the difficulty of preventing their spread. They continue to spread throughout the islands and there has been an increase in little fire ant infestations across the State over the last year, especially on Maui, Oahu, and Kauai. The bite from little fire ants are painful and can cause a variety of ailments, from welts that burn or itch for days to blindness in cats. Your Committee additionally finds that the Hawaii Ant Lab is a program of the University of Hawai'i Pacific Cooperative Studies Unit and has a statewide mission to prevent, reduce, and manage the spread of little fire ants and other invasive ants in Hawaii. Your committee further finds that the Department of Land and Natural Resources administers the Hawai'i Invasive Species Council that provides policy level direction, coordination, and planning among state departments and private organizations for the prevention, control, and eradication of harmful invasive species throughout the State. Thus, this measure should appropriate funds through the Department of Land and Natural Resources to support the Hawai'i Ant Lab in mitigating and managing the spread of little fire ants in the State.

Accordingly, your Committee has amended this measure by changing the expending agency of the appropriation from the University of Hawai'i to the Department of Land and 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. 1552, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1552, 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 (DeCoite).

**SCRep. 255      (Majority) Public Safety and Intergovernmental and Military Affairs on S.B. No. 151**

The purpose and intent of this measure is to:

- (1) Require any department or agency employing a law enforcement officer to maintain a publicly available policy that provides a minimum standard on the use of force;
- (2) Allow use of force policies and training to be considered in legal proceedings involving a law enforcement officer's use of force;
- (3) Require a law enforcement officer who observes the use of force by another law enforcement officer to report the use of force; and
- (4) Require that law enforcement officers receive training designed to minimize the use of force.

Your Committee received testimony in support of this measure from the Honolulu Police Department and three individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Police Department, State of Hawaii Organization of Police Officers, and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Kauai Police Department.

Your Committee finds that law enforcement services are an essential government function that aim to promote respect for, and compliance with, state and county laws. Your Committee believes that mitigating any future actions of excessive force by law enforcement officers, which may lead to unnecessary loss of life or harm is in the interests of the State. This measure will increase accountability and transparency in law enforcement services by requiring law enforcement agencies to maintain a publicly available policy that provides a minimum standard on the use of force, requiring law enforcement officers who observe the use of excessive force by an officer to report the use of force, and requiring that law enforcement officers receive training designed to minimize the use of force.

Your Committee has amended this measure by:

- (1) Deleting language that would have allowed use of force policies and training to be considered as a factor in the totality of circumstances in determining whether the officer acted reasonably but not be considered as imposing a legal duty on the officer to act in accordance with the policies and training;
- (2) Requiring a law enforcement officer to report the use of excessive force by another officer rather than report any use of force by another officer;
- (3) Replacing the term "department head" with "division head" as necessary; 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 and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 151, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 151, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Fukunaga).

**SCRep. 256 Public Safety and Intergovernmental and Military Affairs on S.B. No. 223**

The purpose and intent of this measure is to establish the Hawaii Opportunity Probation with Enforcement (HOPE) Program statewide.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Substance Abuse Coalition, and four individuals. Your Committee received testimony in opposition to this measure from the Judiciary, Office of the Public Defender, Office of the Prosecuting Attorney for the County of Kaua'i, and six individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that in 2004, Hawaii was the first state in the nation to develop a high-intensity, collaborative probation strategy to effect behavioral change in higher-risk, higher-need felony probationers. The State has had substantial success with the HOPE Program, with participating probationers being fifty-five percent less likely to be arrested for a new crime, seventy-two percent less likely to use drugs, sixty-one percent less likely to miss appointments with supervisory officers, and fifty-three percent less likely to have their probation revoked. The program is also cost-effective, since a single dedicated judge can supervise more than two thousand felony probationers. Your Committee believes that, given these successes, this program should be implemented in a format that has already proven effective. This measure will promote efficiency in the criminal justice system, reduce the number of crimes committed and the need for long-term incarceration, and increase productivity, self-esteem, and overall well-being for probationers by establishing the HOPE Program in each county with a population greater than five hundred thousand.

Your Committee has amended this measure by:

- (1) Limiting the implementation of the HOPE Program to counties with a population greater than five hundred thousand;
- (2) Clarifying that while courts shall retain the discretion to look at all the facts and circumstances in each case to fashion the appropriate sentence, the court shall typically follow the sentencing guidelines of the HOPE Program unless otherwise warranted;
- (3) Clarifying that if a court finds that enlargement of the conditions of probation or deferral is warranted, the court shall typically enlarge the participant's sentence pursuant to the sentencing guidelines of the HOPE Program;
- (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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 223, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 223, 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. 257 (Majority) Public Safety and Intergovernmental and Military Affairs on S.B. No. 1230**

The purpose and intent of this measure is to:

- (1) Establish the criminal offense of carrying a firearm in a sensitive location;
- (2) Require the Attorney General to publish an annual report on licenses to carry firearms;
- (3) Prohibit issuing authorities from issuing permits to acquire the ownership of a firearm to any person where the issuance would not be in the interest of the public health, safety, or welfare because the person is found to be lacking the essential character or temperament necessary to be entrusted with a firearm;
- (4) Require issuing authorities to consider the risks associated with firearms in the home and consider the likelihood an applicant would bring the firearm outside of the home to engage in violence or carry unlawfully in public;
- (5) Set minimum requirements for an applicant for a license to carry a concealed firearm;
- (6) Increase requirements for applicants seeking a license to carry a concealed firearm; and
- (7) Require firearms to be kept in a locked container and out of plain view when in an unattended vehicle.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of Transportation; Department of Transportation Services of the City and County of Honolulu; one member of the Hawai'i County Council; Brady Campaign to Prevent Gun Violence; Church of the Crossroads United Church of Christ; Students Demand Action; Hawai'i Children's Action Network Speaks!; Hawai'i State Coalition Against Domestic Violence; Moms Demand Action for Gun Sense in America, Hawaii Chapter; Everytown for Gun Safety; Hawaii Coalition to Prevent Gun Violence; Giffords Law Center to Prevent Gun Violence; Retail Merchants of Hawaii; Hawaii Credit Union League; Institute for Human Services, Inc.; Indivisibles of Hawaii; Healthcare Association of Hawaii; Hawaii Bankers Association; and over one hundred twenty-five individuals. Your

Committee received testimony in opposition to this measure from The National Rifle Association of America, Hawaii Firearms Coalition, Firearm Training Certification School, Pu'uloa Rifle and Pistol Club, and over one hundred thirty individuals. Your Committee received comments on this measure from the Department of Law Enforcement, Honolulu Police Department, Hawaii Primary Care Association, Ho'opono Na Mea Ola, and two individuals.

Your Committee finds that there are compelling interests in protecting public health, safety, and welfare from the serious hazards associated with firearms and gun violence. Despite this, there will be a significant increase in the presence of firearms in public, with more individuals carrying concealed weapons in Hawaii than ever before in the State's history due to *New York State Rifle and Pistol Association v. Bruen*, 142 S. Ct. 2111 (2022), where the United State Supreme Court held that licenses to carry a firearm shall be granted unless there is an objective statutory basis requiring denial. However, states still retain the authority to enact a variety of gun regulations, such as prohibiting the carrying of firearms in sensitive locations and adopting laws to ensure that those who carry firearms are law-abiding, responsible citizens. Your Committee believes that the State's firearms laws should be updated to address the serious hazards to public safety posed by firearms and gun violence. This measure will mitigate the serious hazards to public health, safety, and welfare associated with firearms and gun violence while respecting and protecting the lawful exercise of individual rights by clarifying, revising, and reframing Hawaii's firearms laws.

Your Committee has amended this measure by:

- (1) Adding legislative findings;
- (2) Establishing the offense of carrying a firearm on the private property of another person without authorization;
- (3) Prohibiting a person granted a license to carry a concealed firearm in accordance with title 18 United States Code section 926B or 926C from carrying a firearm in a sensitive location or on the private property of another person without authorization;
- (4) Clarifying that the private property of another person without express authorization to carry firearms on the property is not a sensitive location;
- (5) Clarifying that "guard" has the same meaning as in section 463-1, Hawaii Revised Statutes;
- (6) Clarifying that the exceptions to the prohibition against carrying a firearm in a sensitive location or on the private property of another person without authorization shall constitute defenses on which a defendant bears an initial burden of production;
- (7) Clarifying that a person guilty of carrying a firearm in a sensitive location or on the private property of another person without authorization shall be subject to revocation of their license to carry a firearm under section 134-13, Hawaii Revised Statutes, not just their license to carry a concealed firearm;
- (8) Defining "private property of another person without authorization";
- (9) Including the following under the definition of "sensitive location":
  - (A) Grounds and parking areas adjacent to certain sensitive locations;
  - (B) Buildings, classrooms, laboratories, artistic venues, or athletic fields or venues at public or private colleges or universities;
  - (C) Carnivals and aquariums;
  - (D) Any portion of a building or office owned, leased, or used by the State or a county for legislative business, contested case hearings, agency rulemaking, or other government activities;
  - (E) Public assemblies, demonstrations, marches, rallies, vigils, protests, and picketing events;
  - (F) Paratransit vans;
  - (G) Bus shelters;
  - (H) Any place at which a professional, collegiate, high school, amateur, or student sporting event is being held; and
  - (I) Health care clinics;
- (10) Excluding authorized target ranges and shooting complexes from the definition of "sensitive locations";
- (11) Deleting omnibuses from the definition of "sensitive locations";
- (12) Inserting language to require a person carrying a firearm in public to maintain insurance coverage;
- (13) Inserting language to require that when a person carrying a firearm is stopped by a law enforcement officer or is a driver or passenger in a vehicle stopped by a law enforcement officer, the person shall immediately disclose to the law enforcement officer that the person is carrying a firearm and, upon request, identify the specific location of the firearm and present to the law enforcement officer a license or credentials to carry a firearm;
- (14) Inserting definitions for "concealed" and "unconcealed" when used in relation to firearms;
- (15) Amending the definition of "crime of violence" to include endangering the welfare of a minor in the second degree, terroristic threatening in the second degree; reckless endangering in the second degree, criminal solicitation of a crime of violence, conspiracy to commit a crime of violence, and comparable offenses under federal law, the law of another state, a United States territory, or the District of Columbia;
- (16) Requiring the chief of police of the respective counties to issue permits to acquire or carry firearms to nationals or lawful permanent residents of the United States;

- (17) Requiring a permit to acquire a firearm be impounded and surrendered to the issuing authority if the permittee is arrested for committing a crime relating to the distribution of any drug;
- (18) Deleting language that would have required authorities issuing a permit to acquire the ownership of a firearm to consider whether the applicant has been subject to any recent arrests or criminal charges for disqualifying crimes and instead requiring issuing authorities to consider whether the applicant has been subject to any recent arrests or criminal charges generally;
- (19) Providing that the appeal process for the denial or revocation of an application for a permit to acquire the ownership of a firearm or to carry a concealed firearm shall be administered by the appropriate county police department;
- (20) Prohibiting a person who is a fugitive from justice or otherwise prohibited from possessing a firearm under title 18 United States Code section 922 or any other provision of federal law from owning, possessing, or controlling a firearm or ammunition;
- (21) Prohibiting a person who has one or more pending charges for a felony, crime of violence, or an illegal sale or distribution of any drug from owning, possessing, or controlling a firearm or ammunition;
- (22) Clarifying that a person acquitted of a crime on the grounds of mental disease, disorder, or defect under section 704-411, Hawaii Revised Statutes, or any similar provision under federal law, the law of another state, a United States territory, or the District of Columbia is prohibited from owning, possessing, or controlling a firearm or ammunition;
- (23) Inserting language prohibiting a person treated for a medical, behavioral, psychological, emotional, or mental condition or disorder that is likely to cause impairment in judgment, perception, or impulse control to an extent that presents an unreasonable risk to public health if the person were in possession or control of a firearm or ammunition from owning, possessing, or controlling a firearm or ammunition;
- (24) Inserting language prohibiting a person who is an incapacitated person, as defined by section 560:5-102, Hawaii Revised Statutes, or has been adjudged to meet the criteria for involuntary hospitalization under section 334-60.2, Hawaii Revised Statutes, from owning, possessing, or controlling a firearm or ammunition;
- (25) Prohibiting a person from owning, possessing, or controlling a firearm or ammunition if the person has committed a crime of violence or a crime for the distribution of any drug;
- (26) Inserting language allowing a person who was prohibited from owning, possessing, or controlling a firearm or ammunition for having been convicted of a felony, crime of violence, or illegal sale or distribution of any drug to own, possess, or control a firearm or ammunition if twenty years have elapsed from the date of the conviction;
- (27) Replacing the terms "weapon" or "handgun" with "pistol or revolver" or "firearm" as necessary;
- (28) Prohibiting an authority from issuing a license to carry a pistol or revolver if the applicant has one or more pending charges or a conviction in the previous ten years for an illegal sale or distribution of any drug;
- (29) Allowing authorities issuing licenses to carry a pistol or revolver to consider whether the applicant is a person likely to use a firearm to threaten others;
- (30) Requiring applications for a license to carry a concealed firearm to contain text of the duty under state law to maintain possession of a license while carrying a firearm and the duty to disclose the possession of a firearm to a law enforcement officer;
- (31) Requiring that a person who intentionally, knowingly, or recklessly fails to keep a pistol or revolver in a locked container and out of plain view while leaving the pistol or revolver in an unattended vehicle be subject to certain penalties;
- (32) Defining when a vehicle is unattended for the purposes of determining where persons are required to keep a pistol or revolver;
- (33) Inserting language that allows county police departments to conduct criminal history record checks for licenses to carry a pistol or revolver and ammunition pursuant to section 134-9, Hawaii Revised Statutes;
- (34) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (35) Making 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 and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1230, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1230, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 258 Public Safety and Intergovernmental and Military Affairs on S.B. No. 1447**

The purpose and intent of this measure is to:

- (1) Clarify that county ordinances or regulations that regulate the sale of cigarettes, tobacco products, and electronic smoking devices are null and void only if they are in direct conflict with or less stringent than the provisions in chapter 328J, Hawaii Revised Statutes; and
- (2) Clarify that counties retain the authority to adopt ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices, as long as the ordinances are more stringent than the provisions in chapter 328J, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i State Association of Counties, one member of the Hawai'i County Council, Hawai'i Primary Care Association, American Heart Association, Hawaii COPD Coalition, American Cancer Society Cancer Action Network, American Lung Association Hawaii, Papa Ola Lokahi, Campaign for Tobacco-Free Kids, Hawai'i Public Health Institute, and fourteen individuals. Your Committee received testimony in opposition to this measure from Consumer Choice Center; Hi Five Ohm Vape Co., LLC; Americans for Tax Reform; VOLCANO Vape Shops; Savage Vapes 808 INC.; Hawaii Smokers Alliance; Aloha Petroleum; Minit Stop; Par Hawaii; Hui K., LLC; Retail Merchants of Hawaii; and thirty-two individuals.

Your Committee finds that tobacco use remains the leading cause of preventable death in the United States, including Hawaii. Additionally, the rate of tobacco use among the youth has continued to increase to epidemic levels, with 48.3 percent of public high school students having tried using electronic smoking devices. Your Committee believes that a flexible regulation system is needed to address the multibillion-dollar marketing campaigns of tobacco companies focused on our youth. This measure will allow all levels of government, including counties, to quickly address youth tobacco use by clarifying that county ordinances or regulations that regulate the sale of cigarettes, tobacco products, and electronic smoking devices are null and void only if they are in direct conflict with or less stringent than the relevant provisions in state law and clarifying that counties retain the authority to adopt ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices, as long as the ordinances are more stringent than the relevant provisions in state law.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1447 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 (Fukunaga).

**SCRep. 259      Judiciary on S.B. No. 1538**

The purpose and intent of this measure is to appropriate moneys to the Judiciary for capital improvement projects for the fiscal biennium beginning July 1, 2023, and ending June 30, 2025.

Your Committee received testimony in support of this measure from the Judiciary.

Your Committee finds that, as received by your Committee, this measure would authorize the issuance of general obligation bonds and appropriate \$16,225,000 to the Judiciary for capital improvement projects throughout the State.

Your Committee has amended this measure by appropriating an additional \$5,000,000 in general obligation bond funds for the Kaahumanu Hale elevator systems upgrades and modernization project on Oahu.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1538, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1538, 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. 260      Judiciary on S.B. No. 1543**

The purpose and intent of this measure is to:

- (1) Establish a comprehensive system of public financing for all candidates seeking election to state and county public offices in the State of Hawaii, to begin with the 2024 general election year;
- (2) Require the Campaign Spending Commission to submit a report to the Legislature; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Commission to Improve Standards of Conduct, Democratic Party of Hawaii District 8, Legislative Committee of the Democratic Party of Hawai'i, Pono Hawaii Initiative, Hawai'i Workers Center, Common Cause Hawaii, Global HOPE, HULI PAC, Our Hawai'i, Free Access Coalition, Chamber of Sustainable Commerce, HOPE Services Hawai'i, Washington for Equitable Representation, one senator from the Maine Senate, and one hundred twenty individuals. Your Committee received testimony in opposition to this measure from seven individuals.

Your Committee finds that providing a mechanism to fully fund the elections of candidates for state and county offices who voluntarily agree to abide by campaign fundraising and expenditure guidelines will have significant public benefit. The common belief is that the current campaign finance system used in Hawaii (and most other states) unfairly favors a small handful of wealthy donors who use their donations to buy access to candidates and elected officials. Comprehensive, publicly-funded campaign programs are intended to improve the process by allowing candidates to compete without reliance on private funds and correspondingly by allowing elected officials to make decisions without the influence, or appearance of influence, of private individuals, lobbyists, political parties, political action committees, unions, corporations, and other entities. This measure will increase public confidence in the State's candidates and elected officials.

Your Committee has amended this measure by:

- (1) Specifying that the minimum qualifying contributions for the Office of State Senator is two hundred fifty rather than two hundred;
- (2) Specifying that the minimum qualifying contributions for the Office of State Representative is one hundred twenty-five rather than one hundred;

- (3) Requiring the Campaign Spending Commission to submit a progress report to the Legislature no later than forty days prior to the Regular Session of 2024;
- (4) Requiring the Campaign Spending Commission to submit a final report to the Legislature no later than forty days prior to the Regular Session of 2026; and
- (5) Inserting an effective date of March 22, 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. 1543, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1543, 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 (Awa).

**SCRep. 261      Judiciary on S.B. No. 170**

The purpose and intent of this measure is to:

- (1) Establish a Zero to Three Court Program Coordinator position in the Third Circuit;
- (2) Expand the Zero to Three Court to the Third Circuit; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the Judiciary and Department of Human Services.

Your Committee finds that the period between birth 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 whose parents are involved in Family Court. This measure provides funds to expand the Zero to Three Court Program into the Third Circuit so that the children in the County of Hawaii may live in healthy and safe environments.

Your Committee has amended this measure by replacing the appropriation amount of \$75,588 with a blank 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. 170, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 170, 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. 262      Judiciary on S.B. No. 1240**

The purpose and intent of this measure is to:

- (1) Establish the offense of bribery of an elected official or department head as a class B felony with a maximum monetary penalty of up to \$250,000;
- (2) Require the Commission on Salaries to consider certain factors to retain qualified individuals and deter corruption and bribery; and
- (3) Amend the effective dates of recommended salary increases.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Campaign Spending Commission, Department of Human Resources Development, Honolulu Police Department, and ten individuals.

Your Committee finds that public servants are in positions of public trust. Therefore, deterrence of bribery and corruption of public servants should be a high priority. Your Committee further finds that existing law relating to bribery caps the fines for bribery at \$25,000, while the federal cap is \$250,000. This measure increases the cap on fines for bribery, which will deter corruption and ensure the public's trust in the state government.

Your Committee has amended this measure by:

- (1) Deleting language that would have established the offense of bribery of an elected official;
- (2) Specifying that a public servant convicted of committing the offense of bribery shall be sentenced to pay a fine of up to \$250,000;
- (3) Incorporating the Department of the Attorney General's recommendation to clarify that the imposition of the fine is in addition to any sentence of imprisonment or probation; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the definition of public servant is broad and includes any officer or employee of any branch of government, whether elected, appointed, or otherwise employed and any person participating as advisor, consultant, or otherwise, in performing a governmental function, but the term does not include jurors or witnesses.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1240, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1240, 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. 263 Water and Land on S.B. No. 74**

The purpose and intent of this measure is to establish additional 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 Office of Planning and Sustainable Development, Department of Land and Natural Resources, Hawai‘i State Association of Counties, Maui Chamber of Commerce, and one member of the Maui County Council.

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” 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 nor the economic burdens of the rising costs of labor, building materials, and delays that go along with it. Therefore, this measure establishes additional exclusions from the definition of “development” as it applies to special management areas.

Your Committee has heard the testimony of the Hawai‘i State Association of Counties, stating that when the definition of “development” under the special management area was amended by Act 153, Session Laws of Hawaii 2011, single-family residences less than seven thousand five hundred square feet of floor area were arbitrarily excluded.

Therefore, your Committee has amended this measure by:

- (1) Deleting the square foot threshold for single-family residences excluded from the definition of “development” and authorizing each county to further define “single-family residence” by zoning ordinance;
- (2) Clarifying that Hawaiian traditional and customary practices are excluded from the definition of “development”;
- (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. 74, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 74, 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. 264 Water and Land on S.B. No. 85**

The purpose and intent of this measure is to require 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 received testimony in support of this measure from the Office of the Governor, Office of Planning and Sustainable Development, and Hawai‘i Farm Bureau. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the State and counties have not made effective use of the state rural land use district, one of four districts established by the state land use law in chapter 205, Hawaii Revised Statutes. Currently, there are 10,454 acres in the rural district, which amount to 0.3 percent of all lands in the State, and there are no rural district lands on Oahu. Your Committee further finds that there is potential for greater use of the rural district to differentiate rural communities and lifestyle farms from working or commercial agricultural lands and to enable better protection of productive agricultural lands and the open space character of Hawaii’s rural areas. Therefore, 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 heard the testimony of the Department of Agriculture, noting that this measure closely resembles S.B. No. 1292, Regular Session of 2023, which is a measure submitted by the Governor. The Department testified that S.B. No. 1292 is a more comprehensive vehicle with language that is better suited to set forth the study and assessment required by this measure.

Therefore, your Committee has amended this measure by:

- (1) Replacing the language that sets forth the study and assessment with the language from S.B. No. 1292;
- (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 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. 85, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 85, 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. 265 Water and Land on S.B. No. 469**

The purpose and intent of this measure is to authorize the counties to reclassify lands fifteen to one hundred acres in certain rural, urban, and agricultural districts in which at least fifty percent of the housing units on the land sought to be reclassified are set aside for persons and families with incomes at or below one hundred forty percent of the area median income.

Your Committee received testimony in support of this measure from the Office of the Governor, Hawaii Housing Finance and Development Corporation, Office of Housing and Community Development of the County of Hawai'i, Hawai'i Association of REALTORS, Building Industry Association of Hawaii, and Maui Chamber of Commerce. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs, Sierra Club of Hawai'i, Hawai'i Farm Bureau, Kupuna for the Mo'opuna, Grassroot Institute of Hawaii, Livable Hawaii Kai Hui, and eleven individuals. Your Committee received comments on this measure from the Office of Planning and Sustainable Development, Department of Agriculture, and Land Use Commission.

Your Committee finds that Hawaii has been struggling with the issue of affordable housing for decades. According to the Department of Business, Economic Development, and Tourism report "Measuring Housing Demand in Hawaii, 2015-2025", the forecast demand for additional housing units in the counties totals 64,693 during the 2015 through 2025 period. Your Committee recognizes the immense housing supply problem in the State and that creative solutions are needed to build more housing at all price points.

Your Committee further finds that the Land Use Commission has the authority over district boundary amendment petitions involving the reclassification of lands in the conservation district, land areas greater than fifteen acres, and lands delineated as important agricultural land. Your Committee finds, however, that the Land Use Commission process can be expensive, burdensome, and lengthy and that enabling the counties to instead reclassify certain lands intended for affordable housing development will make larger scale projects economically feasible. Therefore, this measure authorizes the counties to reclassify lands fifteen to one hundred acres in certain rural, urban, and agricultural districts in which at least fifty percent of the housing units on the land sought to be reclassified are set aside for persons and families with incomes at or below one hundred forty percent of the area median income.

Your Committee has heard the testimony of the Land Use Commission expressing concerns that this measure's parameters for affordable housing units would not be helpful for its intended demographic, such as nurses and teachers. Further, the Land Use Commission testified that expanding the counties' jurisdiction to lands up to one hundred acres goes too far and could jeopardize the Land Use Commission's ability to effectuate the State's broader policy and planning goals.

Therefore, your Committee has amended this measure by:

- (1) Requiring that at least seventy-five percent of the housing units under this measure be set aside for persons at or below one hundred percent of the area median income level, in place of the requirement of fifty percent of housing units for persons at or below one hundred forty percent of the area median income level;
- (2) Replacing the acreage range that establishes the counties' district boundary amendment reclassification authority over certain rural, urban, and agricultural lands of fifteen to one hundred acres, with fifteen to fifty acres;
- (3) Amending section 1 to reflect its amended purpose;
- (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. 469, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 469, 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. 266 (Joint) Water and Land and Housing on S.B. No. 140**

The purpose and intent of this measure is to require the Office of Planning and Sustainable Development to identify and analyze existing and projected housing needs and identify adequate sites for housing sufficient to meet housing demands for all income levels each year.

Your Committees received testimony in support of this measure from the Hawai'i Association of REALTORS, Maui Chamber of Commerce, one member of the Kaua'i County Council, and one individual. Your Committees received comments on this measure from the Office of Planning and Sustainable Development.

Your Committees find that the State has a housing crisis. According to a 2019 study commissioned by the Department of Business, Economic Development, and Tourism, the State will require an additional 50,156 homes by the year 2025, with the City and County of Honolulu requiring 22,168 new units, the County of Hawaii requiring 13,303 new units, the County of Maui requiring 10,404 new units, and the County of Kauai requiring 4,281 new units. Your Committees further find that having the Office of Planning and Sustainable Development study and create a strategic plan identifying adequate sites for housing will help the State address its housing challenges now and in the future. Therefore, this measure requires the Office of Planning and Sustainable Development to identify and analyze existing and projected housing needs and identify adequate sites for housing sufficient to meet housing demands for all income levels each year.

Your Committees have amended this measure by:

- (1) Inserting a blank appropriation amount for one full-time equivalent (1.0 FTE) position for the Office of Planning and Sustainable Development; 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 Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 140, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 140, 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.  
 Housing: Ayes, 5. Noes, none. Excused, none.

**SCRep. 267 (Joint) Water and Land and Agriculture and Environment on S.B. No. 1521**

The purpose and intent of this measure is to:

- (1) Require the Office of Planning and Sustainable Development to create an integrated land use plan for the State's agricultural districts;
- (2) Require the Hawaii State Energy Office, Department of Agriculture, Department of Land and Natural Resources, Department of Transportation, and Hawaii Tourism Authority to update various state functional plans; and
- (3) Require the counties to update their general plans.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Land Use Commission, Hawai'i Farmers Union United, Ulupono Initiative, Hawai'i Gas, and one individual. Your Committees received comments on this measure from the Office of Planning and Sustainable Development, Department of Agriculture, and Hawaii State Energy Office.

Your Committees find that Hawaii is challenged by the need to address the scarcity of land and the issue of competing uses and needs for development, production, and preservation within its agricultural districts. However, your Committees also find that as various goals and targets involving agricultural lands have been established over time--relating to land use, energy, climate, sustainability, affordable housing, food security, and water scarcity--a comprehensive and integrated review is needed to properly assess and track the State's progress in meeting its goals. Therefore, this measure requires the Office of Planning and Sustainable Development to create an integrated land use plan for the State's agricultural districts and requires certain agencies and the counties to update their respective functional plans to assist the Office in carrying out the purpose of this measure.

Your Committees have heard the testimony of the Department of Land and Natural Resources requesting that this measure's language requiring the Department to update the state functional plan on conservation be stricken, as the original conservation plan was merely a short-term planning document from 1991 that focused on budget needs. The Department testified that it currently provides reports pursuant to Act 100, Session Laws of Hawaii 1999, that would be valuable in assisting the Office of Planning and Sustainable Development to achieve the intent of this measure.

Your Committees have also heard the testimony of the Office of Planning and Sustainable Development proposing various substantive and technical amendments, including that counties should not be required to update their general plans, community plans, and other land use project proposals because they are already required for conformance with sections 226-52 and 226-58, Hawaii Revised Statutes.

Therefore, your Committees have amended this measure by:

- (1) Removing language that would have required the Department of Land and Natural Resources to update the state functional plan on conservation;
- (2) Revising the preamble language in section 1;
- (3) Codifying the integrated land use study requirements within part II of chapter 226, Hawaii Revised Statutes, rather than a new part;
- (4) Renaming the "integrated land use plan" as the "integrated land use study" for clarity, distinguishing between the integrating land use planning process and functional plan updates;
- (5) Requiring the integrated land use study to consider the 2022 state land use review of districts; Hawaii State Plan Update: Phase 1; and the soil classification study required pursuant to Act 189, Session Laws of Hawaii 2022;
- (6) Requiring the functional plan on tourism updated by the Hawaii Tourism Authority to align with the destination management action plans;
- (7) Clarifying that updates to functional plans shall align with the State's twenty-first century climate and sustainability targets;
- (8) Requiring that functional plan amendments align with the Hawaii State Plan Update: Phase 1;
- (9) Deleting language requiring the counties to update their general plans, community plans, and other land use project proposals and deleting the appropriations made to the counties for this purpose;
- (10) Adding a geographic information systems specialist (1.0 FTE) position to support the Office of Planning and Sustainable Development develop definitive data and changing the appropriation amount from \$530,000 to \$700,000 for fiscal year 2023-2024;
- (11) Inserting an effective date of July 1, 2050, to encourage further discussion; 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 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. 1521, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1521, 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. 268 Water and Land on S.B. No. 68**

The purpose and intent of this measure is to amend the definition of "historic property" to require that the property meets the criteria for inclusion in the Hawaii Register of Historic Places.

Your Committee received testimony in support of this measure from the Office of the Governor, Department of Land and Natural Resources, Hawaii Association of REALTORS, and Historic Hawai'i Foundation. Your Committee received testimony in opposition to this measure from the Society for Hawaiian Archaeology, Sierra Club of Hawai'i, and two individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs and one individual.

Your Committee finds that what makes a historical building special is not necessarily its age, but its context. Your Committee further finds that when age alone is used as the measure of a property's historical value, what is ignored is the property's relationship to events and people, its architectural distinction, and other valuable historic, scientific, and cultural information. Therefore, this measure amends the definition of "historic property" to require that the property be over fifty years old and also meet the criteria for inclusion in the Hawaii Register of Historic Places.

Your Committee has heard the testimony of the Department of Land and Natural Resources noting that there is strong feeling among some Native Hawaiians that the criteria for inclusion in the Hawaii Register of Historic Places does not apply to some of the places of most concern to them.

Therefore, your Committee has amended this measure by

- (1) Allowing property that does not meet the criteria for inclusion in the Hawaii Register of Historic Places to be considered "historical property" if it has important value to Native Hawaiians or other ethnic groups of the State due to associations with cultural practices once carried out, or still carried out, at the property or associations with traditional beliefs, events, or oral accounts that are important to history, traditional practices, and cultural identity;
- (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. 68, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 68, 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. 269 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.B. No. 116**

The purpose and intent of this measure is to authorize the issuance of special number plates to commemorate Duke Kahanamoku.

Your Committees received testimony in support of this measure from the Hawaii Aquatics Foundation, Outrigger Duke Kahanamoku Foundation, a petition signed by thirty-two individuals, and one individual.

Your Committees find that Duke Kahanamoku was one of the first internationally recognized Native Hawaiians with a multitude of achievements that have contributed greatly to Hawaii's favorable international reputation. Furthermore, Duke Kahanamoku was an all-around waterman, lifeguard and lifesaver, swim record-setter, swim and surfer instructor, five-time Olympic medalist in swimming and water polo, sheriff of the City and County of Honolulu, and Hawaii's original Ambassador of Aloha. Therefore, this measure will authorize the issuance of special number plates to commemorate and honor Duke Kahanamoku.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 116 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 and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 270 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.B. No. 117**

The purpose and intent of this measure is to authorize the issuance of special number plates to commemorate Carissa Kainani Moore.

Your Committees received testimony in support of this measure from the Outrigger Duke Kahanamoku Foundation and one individual.

Your Committees find that, during the first Olympic surfing competition in the Tokyo 2020 Summer Olympics, Carissa Kainani Moore ably represented Hawaii with grace and power as she became the first Olympic gold medalist in Olympic surfing history. Furthermore, she was a multi-year women's surfing champion and an advocate for numerous charitable causes, including her support of local surf clubs, gender equity, and awareness of eating disorders. Your Committees further find that Carissa Kainani Moore is a role model for keiki and an Ambassador of Aloha for the State. Therefore, this measure will authorize the issuance of a special number plate to, not only recognize the achievements of Carissa Kainani Moore, but to also raise funds to support programs addressing gender equity across the State.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 117 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 and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 271 (Joint/Majority) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.B. No. 1090**

The purpose and intent of this measure is to:

- (1) Establish requirements for number plates issued for zero-emission, hybrid, and gasoline-powered vehicles beginning January 1, 2025;
- (2) Require the continued use of the rainbow number plate design for hybrid and gasoline-powered vehicles;
- (3) Require the Department of Transportation to adopt or amend its administrative rules to authorize the use of high-occupancy vehicle lanes by zero-emission vehicles; and
- (4) Repeal any provision authorizing the use of high-occupancy vehicle lanes by zero-emission vehicles and electric vehicles on January 1, 2035.

Your Committees received testimony in support of this measure from the Hawai'i Climate Change Mitigation and Adaptation Commission. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Customer Services of the City and County of Honolulu.

Your Committees find that Hawaii's rainbow license plate design is nearing the end of its current numbering pattern and will need to be changed. Additionally, the proliferation and adoption of electric vehicles is growing exponentially, with many major car manufacturers phasing out gasoline-powered cars completely by 2035. The rapid growth of electric vehicles in the State impacts the temporary electric vehicle license plate numbering scheme. Therefore, the renumbering, replacing, and redesigning of license plates for certain vehicles is necessary to ensure continuity and timely issuance of license plates.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1090 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 and Culture and the Arts: Ayes, 4. Noes, 1 (Awa). Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 272 (Joint/Majority) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.B. No. 1082**

The purpose and intent of this measure is to:

- (1) Require all parking lots with public paid parking spaces in the State to accept payment of parking fees by credit card and debit card;
- (2) Require all parking meters that collect parking fees for any public paid parking space in the State to be maintained in working order to accept payment by cash, credit card, and debit card beginning January 1, 2025;
- (3) Require counties to adopt ordinances to enforce these requirements, including the establishment of penalties for failure to comply; and
- (4) Define "motor vehicle", "public parking space", and "parking meter".

Your Committees received testimony in support of this measure from the Department of Accounting and General Services and two individuals. Your Committees received comments on this measure from the Department of the Attorney General and Department of Transportation Services of the City and County of Honolulu.

Your Committees find that as the world transitions to digital forms of payment, more people utilize credit or debit cards to make daily purchases. However, certain parking meters across the State continue to collect cash or coins only, creating a cumbersome experience for residents and visitors who primarily utilize credit or debit cards and mobile applications. Implementing credit or debit card payment parking meters for all paid public parking spaces at parking lots may alleviate issues for residents and visitors and expand access at public parking meters across the State.

Your Committees have amended this measure by:

- (1) Deleting language that would have required the counties to adopt ordinances to enforce parking meter payments by credit and debit card;
- (2) Requiring the Department of Accounting and General Services, City and County of Honolulu, County of Maui, County of Kauai, and County of Hawaii to submit annual reports to the Legislature on their progress to implement paid parking meters accepting credit and debit card payments; 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 Culture and the Arts and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1082, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1082, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 4. Noes, 1 (Awa). Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 273      Ways and Means on S.B. No. 734**

The purpose and intent of this measure is to establish and appropriate moneys for an inter-division program in the Department of Land and Natural Resources, in collaboration with the Office of Hawaiian Affairs, to locate, move, and restore Hawaiian burial sites and iwi that are exposed, or likely to be exposed, by coastal erosion.

Your Committee received written comments in support of this measure from the Office of Hawaiian Affairs, International Archaeological Research Institute, and one individual.

Your Committee received written comments on this measure from the Department of Land and Natural Resources, Society for Hawaiian Archaeology, and one individual.

Your Committee finds that this measure will provide the resources and coordination to effectively and proactively protect Hawaiian burial sites and iwi that are threatened by coastal erosion and climate change.

Your Committee acknowledges testimony from the Office of Hawaiian Affairs recommending that the Department of Land and Natural Resources cover costs related to the movement and relocation of iwi impacted by coastal erosion until recommendations can be made by the inter-division program to appropriately allocate alternative funding sources, and until the State Historic Preservation Division alters its rules to enable the sharing of historic preservation program responsibilities.

Your Committee also acknowledges testimony from the Department of Land and Natural Resources estimating that an appropriation of at least \$250,000 will be needed to implement 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. 734, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 274      Commerce and Consumer Protection on S.B. No. 113**

The purpose and intent of this measure is to:

- (1) Clarify that in calculating whether a product labeled "Made in Hawaii" has met the requirement that at least fifty-one percent of the wholesale value of the product is added by manufacture, processing, or production within the State, operating and overhead expenses incurred and spent within the State shall be included; and
- (2) Appropriate funds to promote and develop the "Made in Hawaii" brand.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism. Your Committee received comments on this measure from Retail Merchants of Hawaii.

Your Committee finds that under existing law, craft items sold or offered for sale in the State that are labeled as "Made in Hawaii" must have at least fifty-one percent of its wholesale value added by manufacture, assembly, fabrication, or production within the State. However, it is unclear what expenses may be attributed to the "production" of a craft item for the purposes of meeting the fifty-one percent threshold. This measure clarifies that the operating and overhead expenses incurred in producing a craft item are included in calculating whether it qualifies for the "Made in Hawaii" label.

Your Committee acknowledges the testimony of the Department of Business, Economic Development, and Tourism (DBEDT), which notes that the clarification made by this measure applies only to the Department of Agriculture's "Made in Hawaii" labeling program and does not address DBEDT's similar "Hawaii Made" labeling program. The requirements for the "Hawaii Made" program are nearly identical to the "Made in Hawaii" program and therefore, any amendments made to one program should also be made to the other.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language amending section 201-3.5, Hawaii Revised Statutes, to apply the production requirements to DBEDT's "Hawaii Made" program for non-perishable goods; 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. 113, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 113, 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. 275 Commerce and Consumer Protection on S.B. No. 745**

The purpose and intent of this measure is to:

- (1) Expand the offense of false labeling of Hawaii-grown coffee to include roasted coffee;
- (2) Impose a \$10,000 fine for each separate offense of false labeling of Hawaii-grown roasted coffee; and
- (3) Appropriate funds for one full time equivalent (1.0 FTE) enforcement position within the Department of Agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Coffee Association; Kona Coffee Farmers Association; Hawai'i Farm Bureau; Hawaii Coffee Company, LLC; Pohaku Farm, LLC; and three individuals.

Your Committee finds that Hawaii's coffee industry is the State's second most lucrative agricultural crop. Hawaii-grown coffee is among the highest priced coffee sold anywhere in the world, due to its cost of production and reputation for outstanding quality. As such, counterfeiters falsely label less expensive coffees as originating from Hawaii in order to sell cheaper coffee at a premium. Existing law imposes penalties for the false labeling of Hawaii-grown coffee in cherry and parchment form; however, the false labeling of coffee occurs almost exclusively in roasted coffee. Roasted coffee falsely labeled as Hawaii-grown coffee is priced below the cost of genuine Hawaii-grown coffee, thus creating downward price pressure and value depreciation in the marketplace. This measure extends the offense of false labeling of Hawaii-grown coffee to include roasted coffee, adds a mandatory fine of \$10,000 for each offense of false labeling of Hawaii-grown coffee, and appropriates funds to establish one full-time equivalent position for labeling and packaging enforcement and inspection.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 745, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 745, 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. 276 Transportation and Culture and the Arts on S.B. No. 1506**

The purpose and intent of this measure is to:

- (1) Establish a Safe Routes for People Implementation Program and Safe Routes for People Implementation Committee to develop strategies and facilitate transportation-related projects that ensure the safety of keiki and kupuna using ground transportation facilities;
- (2) Establish a Safe Routes for People Special Fund;
- (3) Allow State Highway Fund funds to be expended to establish protected walkways;
- (4) Increase the minimum amount of State Highway Funds required to be expended by the Department of Transportation on ground transportation projects from two percent to five percent; and
- (5) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii State Council on Developmental Disabilities; Hawai'i Climate Change Mitigation and Adaptation Commission; Honolulu Police Department; one member of the Honolulu City Council; Ulupono Initiative; 'Ahahui o nā Kauka; Hui o Ho'ohonua; Kauai Path, Inc.; Get Fit Kaua'i; Hawaii Bicycling League; AARP Hawai'i; Hawai'i Children's Action Network Speaks!; Bikeshare Hawaii; Hawai'i Public Health Institute; and fourteen individuals. Your Committee received comments on this measure from the Department of Health and Department of Budget and Finance.

Your Committee finds that safety of all roadway users, including pedestrians, should be of paramount importance. Cities of similar population to the City and County of Honolulu have seen significant decreases in traffic-related fatalities, with some cities reporting near zero fatalities annually. Despite successful traffic safety measures elsewhere, traffic-related deaths and fatalities in Hawaii have significantly increased in the past decade. In 2022, there were one hundred seventeen traffic fatalities, which was an increase from ninety-four in 2021.

Your Committee further finds that ensuring safe routes to common places for keiki and kupuna will not only protect the State's most vulnerable road users, but planning and project design around safe routes will serve as a long-term investment in the future of transportation in the State. However, decades of automobile-centric planning and development created formidable barriers such as a lack of complete, safe, and comfortable bike and pedestrian networks; burdensome and complicated funding mechanisms for safe

routes projects; and a lack of coordination among state and county agencies with community-based organizations. To create safer communities across the State, the development and implementation of safe routes will better protect all pedestrians, bicyclists, and other users during their commute.

Your Committee has amended this measure by:

- (1) Authorizing the Safe Routes for People Implementation Program to develop projects authorized under the Safe Routes to School Program;
- (2) Authorizing the Safe Routes for People Implementation Committee to develop recommendations to facilitate efforts for communities to apply for projects, streamline project development and implementation, review project proposals, and prioritize projects under the Safe Routes to School Program;
- (3) Changing the composition of the Safe Routes for People Implementation Committee as follows:
  - (A) Removing the members representing each of the metropolitan planning organizations in the State;
  - (B) Adding one member representing the Hawaii State Council on Developmental Disabilities;
  - (C) Adding one member representing each county Department of Transportation; and
  - (D) Adding one member representing organizations that understand the ways families with young children navigate through the State;
- (4) Removing language that would have established a Safe Routes for People Special Fund in chapter 286, Hawaii Revised Statutes;
- (5) Repealing the county safe routes to school programs and replacing the counties' authority to provide safe routes to school funds with the Safe Routes for People Implementation Committee;
- (6) Clarifying that the Safe Routes to School Program shall not allocate less than ten percent nor more than thirty percent of Safe Routes for People funds intended for Safe Routes to School projects for non-infrastructure related activities;
- (7) Repealing the grant proposal process for the county safe routes to school programs;
- (8) Amending the Safe Routes to School Program Special Fund as follows:
  - (A) Renaming the special fund as the Safe Routes for People Special Fund;
  - (B) Clarifying the eligible funding sources for the special fund;
  - (C) Authorizing monies in the fund to be expended by the Department of Transportation to fund projects selected by the Safe Routes for People Implementation Committee under the Safe Routes for People Implementation Program and Safe Routes to School Program; and
  - (D) Requiring the Department of Transportation to submit annual reports to the Legislature regarding expenditures from the special fund;
- (9) Removing part II of the measure, relating to the use of the State Highway Fund for protected walkways;
- (10) Appropriating \$50,000,000 to the Department of Transportation to address bicycle and pedestrian facilities in state and county transportation systems;
- (11) Amending section 1 to reflect its amended purpose; and
- (12) Making 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1506, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1506, 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. 277      Transportation and Culture and the Arts on S.B. No. 517**

The purpose and intent of this measure is to:

- (1) Authorize operators of motorcycles to utilize lane shoulders that are at least three-feet-wide with the concurrent use of emergency flashers; and
- (2) Require the Department of Transportation to create and implement traffic control devices to designate lane shoulders for motorcycle use during peak traffic hours.

Your Committee received testimony in support of this measure from Street Bikers United and one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, and Hawaii Bicycling League. Your Committee received comments on this measure from one individual.

Your Committee finds that the shoulder lane is utilized to accommodate a variety of roadway users, including stopped vehicles and emergencies; and on arterial roadways, bicyclists and pedestrians. In addition, other forms of multimodal transportation operating on time deadlines such as fixed route bus service, vanpools, and paratransit services for individuals with disabilities also utilize the

shoulder lanes. While authorizing motorcycles to travel in the shoulder lane may alleviate traffic for riders, safety of all roadway users is of paramount importance.

Your Committee has amended this measure by:

- (1) Clarifying that motorcycles are entitled to full use of the shoulder on interstate highways as authorized by the Department of Transportation;
- (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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 517, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 517, 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. 278 (Majority) Transportation and Culture and the Arts on S.B. No. 1502**

The purpose and intent of this measure is to require hourly peer-to-peer car sharing operators to insure the shared car at four times the personal injury protection benefit and basic liability coverage.

Your Committee received testimony in support of this measure from Getaround. Your Committee received testimony in opposition to this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, Turo Inc., and Hawaii Association for Justice. Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that peer-to-peer car sharing services provide another mode of transportation for residents and tourists. Act 56, Session Laws of Hawaii 2022, established provisions to require peer-to-peer car sharing programs to ensure that during each car-sharing period, a shared car is insured under a policy that provides primary insurance coverage and property damage coverage. However, as the peer-to-peer car sharing industry is a newly regulated industry in the State, this measure ensures consumers and other road users have adequate insurance protections.

Your Committee has amended this measure by:

- (1) Inserting blank amounts for the minimum insurance rates required for hourly peer-to-peer car sharing operators;
- (2) Authorizing the Department of Transportation to regulate peer-to-peer car sharing parking at state airports;
- (3) Authorizing the counties to regulate peer-to-peer car share parking on county streets; 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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1502, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1502, 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, 1 (Awa). Excused, none.

**SCRep. 279 (Joint/Majority) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 781**

The purpose and intent of this measure is to reduce administrative barriers to the deployment of energy generation and storage technology systems by requiring government entities in the State that issue building permits to implement SolarAPP+ or a functionally equivalent online automated permitting platform that verifies code compliance and issues permits to licensed contractors for solar distributed energy resource systems in real time by January 1, 2024.

Your Committees received testimony in support of this measure from the Hawaii Food Industry Association; Hawaii Solar Energy Association; Malama Solar; 350Hawaii; Tesla, Inc.; Ulupono Initiative; Sierra Club of Hawai'i; OceanHead Solar and Electric, LLC; Our Revolution Hawaii; Environmental Caucus of the Democratic Party of Hawai'i; Alternate Energy Hawaii; Fortress Power; Revolusun; Hawaii Environmental Change Agents; and thirty-eight individuals. Your Committees received testimony in opposition to this measure from the American Council of Engineering Companies of Hawaii and American Institute of Architects Hawaii. Your Committees received comments on this measure from the Hawaii State Energy Office; Board of Professional Engineers, Architects, Surveyors, and Landscape Architects; and Kaua'i Island Utility Cooperative.

Your Committees find that the current permitting process adds substantial time and cost to the adoption of residential solar and energy storage projects and that online permitting tools, such as the United States Department of Energy's SolarAPP+, have been successfully implemented by hundreds of government entities that issue building permits throughout the nation. Your Committees believe that to encourage the timely build-out of a diverse, resilient, and reliable portfolio of low-cost renewable energy generation and storage assets, Hawaii must lower the administrative barriers that constrain deployment of residential and commercial-scale distributed energy resources. This measure will reduce unnecessary delays for the installation of residential distributed energy resources by requiring government entities in the State that issue building permits to implement SolarAPP+ or a functionally equivalent online automated permitting platform that verifies code compliance and issues permits to licensed contractors for solar distributed energy resource systems in real time by January 1, 2024.



Your Committees have heard the concerns raised in testimony that section 4 of this measure may allow homeowners to avoid existing licensed professional requirements and build non-engineered or non-code compliant structures that may cause injury or loss of life. Your Committees also note concerns about potential safety risks resulting from a self-certification process for solar distributed energy resource systems. Your Committees find that these issues merit further consideration and request that your Committees on Commerce and Consumer Protection and Ways and Means further examine those issues and concerns, should they choose to deliberate on this measure.

Your Committees have amended this measure by:

- (1) Requiring a duly licensed electrician or duly licensed plumber who intends to install a solar distributed energy resource system to notify the applicable government entity that the system complies with all applicable codes and laws, including an executed interconnection agreement with the applicable electric utility;
- (2) Inserting an effective date of January 6, 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 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. 781, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 781, 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; Ayes with Reservations (Fukunaga). Noes, none. Excused, none.

Government Operations: Ayes, 4; Ayes with Reservations (San Buenaventura). Noes, 1 (Awa). Excused, none.

**SCRep. 280 Energy, Economic Development, and Tourism on S.B. No. 951**

The purpose and intent of this measure is to:

- (1) Add a cap for the amount of tax credits for research activities that an eligible taxpayer and the taxpayer's related entities may receive per taxable year;
- (2) Consolidate the survey and certification requirements for tax credits for research activities;
- (3) Amend the annual aggregate cap on tax credits for research activities that the Department of Business, Economic Development, and Tourism may certify; and
- (4) Require certification of the tax credits for research activities on a first-come, first-served basis to be based on the date that a complete application is received, subject to certain conditions.

Your Committee received testimony in support of this measure from the Hawai'i Technology Development Corporation; Oceanit; Makai Ocean Engineering, Inc.; Pacific International Center High Tech Research; Hawaii Aerospace Corporation; and one individual. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the technology industry is a fiercely competitive global industry. Your Committee believes that the Hawaii tax credit for research activities is critical to allow the State to compete in the global market as research activities support the local technology industry, create good paying jobs, and keep local talent in the State. This measure will allow the tax credit for research activities to continue to diversify the economy and create good paying jobs in the State by adding a cap for the amount of tax credits for research activities that an eligible taxpayer may receive per taxable year, consolidating the survey and certification requirements, amending the annual aggregate cap on tax credits for research activities, and tightening qualifying criteria to focus on supporting local companies.

Your Committee has amended this measure by:

- (1) Reducing the cap for the amount of tax credits for research activities that an eligible taxpayer and the taxpayer's related entities may receive per taxable year from \$2,500,000 to \$1,500,000;
- (2) Requiring every qualified high technology business be registered to do business in the State and occupy a business location and address in the State where at least seventy-five per cent of the company's employees are located to be eligible to receive tax credits for research activities;
- (3) Extending the sunset date for tax credits for research activities from December 31, 2024 to December 31, 2029; 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. 951, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 951, 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. 281 Energy, Economic Development, and Tourism on S.B. No. 1198**

The purpose and intent of this measure is to prohibit holdover board members of the Hawaii Tourism Authority from holding office beyond the commencement of the next legislative session following the expiration of the member's term of office.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Hawai'i Tourism Authority; and one individual.

Your Committee finds that the Hawaii Tourism Authority is guided by a twelve-member, volunteer, Senate-confirmed Board of Directors. Hawaii Tourism Authority board members go above and beyond the call of duty for these volunteer positions and bring the depth of their professional experiences to the board table. However, recruitment for volunteer service on the Hawaii Tourism Authority's board is often challenging. Your Committee further finds that the Office of the Attorney General opined that the current laws allow a member of the Hawaii Tourism Authority to continue as a holdover after their term has expired until a successor is appointed by the Governor, without limitation. Your Committee finds that this interpretation is contrary to legislative intent and therefore this measure is necessary to clarify the existing law.

Your Committee has amended this measure by:

- (1) Reducing the number of board members on the Hawaii Tourism Authority Board of Directors from twelve to nine; reducing the number of members required to have knowledge, experience, and expertise in the area of accommodations, transportation, retail, entertainment, or attractions from six to four; and reducing the maximum number of members representing, employed by, or under contract to any sector of the industry represented on the board from three to two;
- (2) Reducing the number of board members necessary to constitute a quorum from seven to five; 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. 1198, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1198, 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. 282 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 1261**

The purpose and intent of this measure is to:

- (1) Require each department of the State to prepare a report assessing the feasibility of installing distributed energy resource systems at each of its facilities;
- (2) Require departments to implement and install the distributed energy resource systems for each of its facilities, as detailed in the reports no later than five years from the issue date of the reports; and
- (3) Give priority for the required energy efficiency measures to first responder facilities.

Your Committees received testimony in support of this measure from the Hawaii Solar Energy Association, 350Hawaii, Our Revolution Hawaii, Ulupono Initiative, Environmental Caucus of the Democratic Party of Hawai'i, and fourteen individuals. Your Committees received comments on this measure from the Department of Taxation.

Your Committees find that the installation of on-site distributed energy resources, such as rooftop solar and battery storage, is not only one of the most cost-effective ways to reduce greenhouse gas emissions and other pollutants associated with electricity generation and consumption, but also provides affordable and resilient power for the State's energy system users. Your Committees also find that the growing climate crisis threatens the health and well-being of the State's residents through the impacts of extreme weather events. Your Committees believe that the State must ensure that preparations within the State will be adequate to deal with the emergencies caused by climate change, especially in situations involving disruptions to the electric grid, port activity, and essential services provided by state agencies--in particular, first responders who must have the ability to function fully to assist with response and recovery efforts. This measure will build the State's resilience to the effects of global warming by requiring each department to prepare a report assessing the feasibility of installing distributed energy resource systems at each of its facilities; requiring departments to implement and install the distributed energy resource systems for each of its facilities, as detailed in the reports no later than five years from the issue date of the reports; and giving priority for the required energy efficiency measures to first responder facilities.

Your Committees note that this measure does not contain an appropriation and that the Department of Accounting and General Services plans to submit the cost figures for consideration by your Committee on Ways and Means.

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. 1261 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. Noes, none. Excused, none.  
Government Operations: Ayes, 5. Noes, none. Excused, none.

**SCRep. 283 Higher Education on S.B. No. 1414**

The purpose and intent of this measure is to:

- (1) Exempt the University of Hawaii and its Board of Regents from certain provisions of the Hawaii Public Procurement Code involving contracts and grants relating to research and training or research and training revolving funds;
- (2) Require the Board of Regents to develop internal policies and procedures exempt from the Hawaii Public Procurement Code for procurement relating to research and training contracts and grants and research and training revolving fund expenditures in support thereof;

- (3) Authorize the President of the University of Hawaii to delegate procurement authority for research and training contracts and grants to the University's Vice President for Research and Innovation; and
- (4) Require the Board of Regents to submit reports to the Legislature.

Your Committee received testimony in support of this measure from the University of Hawai'i System. Your Committee received comments on this measure from the State Procurement Office and the Department of the Attorney General.

Your Committee finds that the University of Hawaii at Manoa has received international recognition for its research. At the state level, University of Hawaii research and training contracts and grants contribute over \$200,000,000 annually to Hawaii's economy and create workforce opportunities throughout the State. To support the excellence of research at the University of Hawaii, this measure exempts the University from certain provisions of the Hawaii Public Procurement Code relating to research and training contracts and grants, facilitating the effective and efficient accomplishment of research and training.

Your Committee has amended this measure by:

- (1) Inserting language specifying that this measure addresses an issue of statewide concern;
- (2) Specifying that the Hawaii Public Procurement Code shall not apply to contracts made by the University of Hawaii or the Board of Regents of the University of Hawaii; provided that the contracts involve research and training and are procured using grant moneys received for research and training or moneys expended from the Research and Training Revolving Fund (RTRF) pursuant to section 304A-2253, Hawaii Revised Statutes, in direct support of research and training;
- (3) Clarifying that references to "research and training revolving funds" refer to RTRF moneys;
- (4) Repealing language that requires the Board of Regents to develop internal policies and procedures exempt from the Hawaii Public Procurement Code for the procurement of construction;
- (5) Clarifying that the Board of Regents shall develop internal policies and procedures exempt from chapter 103D, Hawaii Revised Statutes, only for the procurement of goods and services for research and training and RTRF moneys expended in direct support of research and training; provided that the President of the University may delegate procurement authority for research and training to the Vice President for Research and Innovation;
- (6) Requiring that the University of Hawaii include a description of the University's internal policies and procurement process in its reports to the Legislature;
- (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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1414, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1414, 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. 284 Education on S.B. No. 107**

The purpose and intent of this measure is to:

- (1) Authorize a majority of the members of the Board of Education to elect a chairperson from among the members of the Board;
- (2) Authorize the members to annually elect a chairperson upon the start of the next confirmed term for members; and
- (3) Remove the requirement that the chairperson be an at-large member.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that providing high quality education to Hawaii's keiki is of paramount importance. The Board of Education's mission is to "promote excellence and equity in Hawaii's public schools and enable all students to meet their own unique and varied potentials". Through the formulation of policy, the Board of Education guides the Department of Education to ensure all Hawaii public school students can thrive and succeed during their academic careers. As policies implemented by the Board of Education ultimately impact students, ensuring effective leadership from the Board of Education is imperative to ensure all students in Department of Education schools receive a high quality education.

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. 107, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 107, 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. 285 Education on S.B. No. 156**

The purpose and intent of this measure is to:

- (1) Require the Board of Education to hold not less than six community forums annually, with at least one community forum in each county;
- (2) Require the Board of Education to include an open forum for public comments on non-agenda items; and
- (3) Require a report to the Legislature on implementing open forums.

Your Committee received testimony in support of this measure from the Office of Information Practices, Moms for Liberty Honolulu County, Hawai'i Association of School Psychologists, and seven individuals. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that providing high quality education to Hawaii's keiki is of paramount importance. The Board of Education's mission is to "promote excellence and equity in Hawaii's public schools and enable all students to meet their own unique and varied potentials". Through the formulation of policy, the Board of Education guides the Department of Education to ensure all Hawaii public school students can thrive and succeed through their academic careers. Therefore, the policies created and implemented by the Board of Education ultimately impact public school students throughout the State. This measure will create additional opportunities to facilitate community dialogue through open forums with the Board of Education members, allowing local communities to share experiences, feedback, and opinion on the direction of Hawaii's public school education.

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 Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 156, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 156, 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. 286 Education on S.B. No. 1343**

The purpose and intent of this measure is to:

- (1) Clarify that in addition to a parent or legal guardian, emancipated minors may also produce the required student records when transferring schools; and
- (2) Clarify that the transfer process is the same whether a transfer is within the same complex area or to another complex area.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that, when a student who is under the age of eighteen transfers schools, existing law requires the student to submit to the enrolling school a certificate of release obtained from the school last attended. As minors do not have legal capacity independent of their parents, your Committee notes that it is more appropriate for the parent or legal guardian of the minor student to produce and submit the certificate of release. In instances where a minor is emancipated, the emancipated minor should be empowered to produce and submit the certificate of release. This measure expands the authority to produce a certificate of release for the minor student to the student's parent, legal guardian, or an emancipated minor.

Your Committee has amended this measure by:

- (1) Clarifying that requirements shall not apply to McKinney-Vento eligible students, including unaccompanied minors who are not under the physical custody of a parent or legal guardian; 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. 1343, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1343, 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. 287 Education on S.B. No. 1344**

The purpose and intent of this measure is to:

- (1) Allow the administration of medication to public school students by health assistants with the approval of a health care professional within the Department of Education, Department of Health, or a health care service per a written agreement with the Department of Education; and
- (2) Replace the term "school health aides" with "school health assistants" to reflect recent changes to the job title.

Your Committee received testimony in support of this measure from the Department of Education, Department of Health, University of Hawai'i System, Hawai'i State Center for Nursing, Hawaii Primary Care Association, Epilepsy Foundation of Hawaii, and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that all medication requests to be administered by school health assistants are currently reviewed and require approval by the Department of Health public health nurses. To ensure proper review of the medication request, including a determination on safety and whether the treatment is appropriate for a student, the medication management process requires clinical supervision by a health care professional to ensure the safety of students in the event unlicensed assistive personnel, such as school health assistants, are utilized to administer medication.

Your Committee notes that while some schools have a licensed health care professional on campus through written agreements with the Department of Education or through partnerships with partners such as the Nancy Atmospera-Walch School of Nursing at the University of Hawaii at Manoa, student care would be more efficient, accessible, and safe if the administration of medication could be performed with the approval of a health care professional within the Department of Education, Department of Health, or a partner in a written agreement with the Department of Education. To ensure the health and safety of Hawaii's keiki in Department of Education schools, this measure authorizes the administration of medications by school health assistants with the approval of a health care professional within the Department of Education, Department of Health, or health care service through a written agreement with the Department of Education.

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. 1344, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1344, 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. 288 Education on S.B. No. 943**

The purpose and intent of this measure is to appropriate funds to the Department of Education to fund school health support staff to sustain the Hawaii Keiki: Healthy and Ready to Learn Program.

Your Committee received testimony in support of this measure from the Department of Education, Executive Office on Early Learning, University of Hawaii System, Hawaii State Teachers Association, Hawaii's Children's Action Network Speaks!, and Hawaii State Center for Nursing. Your Committee received comments on this measure from the Hawaii Government Employees Association AFSCME Local 152, AFL-CIO; and Hawaii's Primary Care Association.

Your Committee finds that the Hawaii Keiki: Healthy and Ready to Learn Program is designed to improve access to, and the quality of, school-based health services available to Hawaii's public school students by providing direct services and coordinating care with primary and tertiary care providers. In partnership with the Nancy Atmospera-Walch School of Nursing at the University of Hawaii at Manoa, the Hawaii Keiki: Healthy and Ready to Learn Program provided over one hundred seventy-one schools with direct support and indirect support to all Department of Education schools, complexes, and complex areas.

Your Committee further finds that while the Department of Education envisions a future with one nurse on site at every school, the achievement of this ambitious goal requires a substantial increase in fiscal and human resources. The school health support staff was created in response to the coronavirus disease 2019 pandemic to assist Department of Education schools by having nurses available on campuses. The volume of care provided by school health support staff, along with the exacerbated COVID-19 issues, has shown a significant, ongoing need to ensure that Hawaii's keiki are healthy and ready to learn. To ensure continued support at all Department of Education schools, while also supporting student success, additional fiscal resources are needed to continue the valuable work established by the Hawaii Keiki: Healthy and Ready to Learn 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. 943 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. 289 Education on S.B. No. 1232**

The purpose and intent of this measure is to authorize the State Librarian, with approval from the Board of Education, to impose and collect rates, rents, fees, fines, and charges for the use of state library facilities and revise rates, rents, fees, fines, and charges as necessary.

Your Committee received testimony in support of this measure from the Hawaii's State Public Library System.

Your Committee finds that the Hawaii State Public Library System operates fifty-one branches on six islands and is the only public library system in the State. Presently, the Hawaii State Public Library System is required to adopt administrative rules to update the current fee schedule, which can be a cumbersome, delayed process. As the Hawaii State Public Library System considers new pilot projects or temporary services to support local library communities across the State, authorizing the State Librarian to update current fee schedules will streamline administrative processes to support public library services.

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. 1232 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. 290 Agriculture and Environment on S.B. No. 640**

The purpose and intent of this measure is to establish and appropriate funds for the Hawaii Agricultural Investment Program to support local agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii's Farm Bureau; Hawaii Cattlemen's Council, Inc.; Local Food Coalition; Hawaii Aquaculture and Aquaponics Association; Ulupono Initiative; Environmental

Caucus of the Democratic Party of Hawai'i; Kanalani Ohana Farm; The Humane Society of the United States; and three individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the State is committed to creating a self-reliant and prosperous agricultural sector in Hawaii that can readily supply residents and visitors alike with freshly-grown local produce and various other locally-sourced food options. Your Committee further finds that the State relies on imports for more than ninety percent of its food and therefore acknowledges that the agricultural sector in Hawaii requires substantial capital investment to actualize the State's vision. Thus, this measure establishes the Hawaii Agriculture Investment Program within the Department of Agriculture and appropriates funds to assist farmers and ranchers in increasing their capacities to grow and produce viable food alternatives to imports in the ongoing effort of enhancing food security and agricultural self-sufficiency in the State.

Your Committee has amended this measure, as suggested by the Ulupono Initiative, by:

- (1) Clarifying the purposes for which grants shall be awarded by deleting conversion of chicken shell egg farms or businesses from caged to cage-free and including promotion of workforce development and labor solutions for agricultural production and processing and food safety training and education to promote agricultural development and market development;
- (2) Inserting language establishing grant conditions and qualifications;
- (3) Inserting an appropriation amount of \$3,000,000; 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. 640, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 640, 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 (DeCoite).

**SCRep. 291      Agriculture and Environment on S.B. No. 744**

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 to direct available funding for mitigation efforts, research, and prevention or control actions for coffee leaf rust.

Your Committee received testimony in support of this measure from Kanalani Ohana Farm, Hawaii Coffee Growers Association, Kona Coffee Farmers Association, Hawai'i Farm Bureau, and three individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of Land and Natural Resources.

Your Committee finds that coffee leaf rust represents a real and direct threat to the future of coffee production in Hawaii. Since its discovery on Maui in late 2020, coffee leaf rust has been responsible for the decimation of at least fifty percent of coffee crops on most farms on Hawaii island and has had a substantial economic impact on coffee farms across the State. Your Committee additionally finds that the Hawaii Invasive Species Council was established in 2003, is administered through the Department of Land and Natural Resources, and includes other state departments as members. This measure requires the Hawaii Invasive Species Council to classify coffee leaf rust as an invasive species in its administrative rules to make funding available for the mitigation, research, and prevention actions for coffee leaf rust.

Your Committee acknowledges a statement made in testimony by the Department of Agriculture, in which it declares that it has sufficient authority to act and respond to coffee leaf rust issues in the State. The Department, however, does not currently have the funds to support the mitigatory efforts, research, and prevention or control actions that the spread of coffee leaf rust requires and instead is limited to merely maintaining existing restrictions on the importation of coffee into the State and funding of the Pesticides Subsidy Program to combat coffee leaf rust and other coffee plant diseases. Alternatively, the Department of Agriculture proposes an appropriation of \$200,000 to maximize the utilization of departmental capabilities to sufficiently address, prevent, control, and research 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 is in accord with the intent and purpose of S.B. No. 744 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. 292      Agriculture and Environment on S.B. No. 776**

The purpose and intent of this measure is to amend the composition of the Board of Agriculture by requiring representation from the islands of Molokai and Lanai.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farmers Union United; Kuwale Ridge Farms; Hawaii Cattlemen's Council, Inc.; Hawaii Farm Bureau; and five individuals.

Your Committee finds that the Board of Agriculture consists of ten members and is dedicated to the preservation and productive use of agricultural resources so as to assure a healthy and adequate food supply for Hawaii's people, providing employment, maintaining a favorable balance of trade, and preserving the aesthetic quality of the Hawaiian Islands. Three members must be a resident of the counties of Hawaii, Maui, and Kauai, and the remaining seven seats are filled by representatives from various state departments, the University of Hawaii, or appointed by the Governor. Your Committee finds that while Molokai and Lanai have historically been represented by the Maui representative, there are complex and unique challenges on these islands that would be better addressed with appropriate representation on the Board of Agriculture.

Your Committee believes that, by increasing the membership of the Board of Agriculture from ten to twelve seats to include resident representatives from the islands of Molokai and Lanai, the State can ensure comprehensive, equitable access to and information on critical resources like federal grants, research and development initiatives, and interisland growth and collaboration opportunities on all islands. This measure takes a step forward in ensuring that all people in Hawaii have access to the same benefits that the Board of Agriculture strives to secure and is inclusive of input from all farm communities 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. 776 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. 293      Agriculture and Environment on S.B. No. 777**

The purpose and intent of this measure is to provide a temporary income tax credit for the cost of upgrading or converting a qualified cesspool to a wastewater system or for connecting a qualified cesspool to a sewage system.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawai'i System, Department of Environmental Management of the County of Hawai'i, Hawai'i REALTORS, Environmental Caucus of the Democratic Party of Hawai'i, Surfrider Foundation, and four individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaiii.

Your Committee finds that cesspools are a significant problem in the State and a major source of pollution in Hawaii. There are an estimated 83,000 cesspools in the State that discharge millions of gallons of untreated sewage into the soil every day, which may flow into drinking water sources, streams, and the ocean, threatening public health and the environment. Your Committee additionally finds that the State has set a mandate to convert all cesspools to a Director of Health approved wastewater system by 2050 and must be proactive with effective and purposeful legislation to meet this goal. This measure will provide financial relief to those who seek to upgrade their cesspools through a temporary income tax credit, which will offset some of the financial difficulties of cesspool conversion and incentivize upgraders to act quickly to take advantage of this credit's availability.

Your Committee has amended this measure by specifying the Department of Health as the agency responsible for the certification of qualified expenses, as requested by the Department of Taxation.

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. 777, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 777, 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. 294      Agriculture and Environment on S.B. No. 782**

The purpose and intent of this measure is to appropriate funds to the Department of Agriculture to provide grants to be disbursed directly to taro farmers in the State.

Your Committee received testimony in support of this measure from the Department of Agriculture; Adaptations, Inc.; Ka Ohana O Na Pua; Hawai'i Farm Bureau; Hawai'i Farmers Union United; Hawai'i Alliance for Progressive Action; and twenty-eight individuals. Your Committee received comments on this measure from the Department of the Attorney General and one individual.

Your Committee finds that taro farmers in the State face a myriad of challenges from the expensive and labor intensive processing of taro to poi, to the high cost of land and increasingly unpredictable weather conditions due to climate change. Your Committee acknowledges that the occurrence of taro farming has been on the decline for decades due to these mounting challenges, and taro farmers continue to struggle to survive and sustain their operations in the State. Your Committee further finds that the State has more recently pivoted its focus to the issue of food security and agricultural self-reliance in Hawaii and now finds tremendous potential in the taro plant beyond its cultural and traditional value. Thus, this measure supports the taro farmer in Hawaii by appropriating funds through grants for taro farmers and farms for improvements in their operations, thereby protecting the Hawaiian traditions of taro and taro farming, encouraging new taro farming, and improving the livelihoods of existing taro farmers.

Your Committee has amended this measure by:

- (1) Clarifying legislative findings;
- (2) Deleting language that would have prohibited grants to be given unless the applicant has spent money toward producing taro for consumption and for costs incurred more than five years prior to the time of application;
- (3) Inserting language to require qualified applicants to submit a plan for increasing taro production, including activities in which the applicant intends to engage in;
- (4) Including a definition for "qualified applicant" to mean taro farmers and certain taro-producing private organizations; 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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 782, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 782, 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. 295 Agriculture and Environment on S.B. No. 793**

The purpose and intent of this measure is to amend recycling goals, penalties, and definitions under the Electronic Device Recycling and Recovering Act so that goals are based upon the manufacturer's overall market share in the State.

Your Committee received testimony in support of this measure from Consumer Technology Association and Retail Merchants of Hawaii. Your Committee received testimony in opposition to this measure from Mr. K's Recycle and Redemption Center, Recycle Hawaii, Clean the Pacific, and eleven individuals. Your Committee received comments on this measure from the Department of Health and one individual.

Your Committee finds that Act 151, Session Laws of Hawaii 2022 (Act 151), amended the Electronic Device Recycling and Recovery Act to set certain requirements for electronic device manufacturers to assist in the overall effort of recycling electronic waste in the State. Your Committee additionally finds that manufacturers have struggled to comply with the requirements of Act 151, which have forced them to accept severe penalties and thus, cost increases, which may ultimately be passed to consumers. This measure reduces the severity of the Electronic Device Recycling and Recovery Act by amending the shortfall penalties and establishing a method based on a manufacturer's overall market share to calculate recycling responsibilities and adding definitions to accommodate for this new method.

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. 793 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 (Richards). Noes, none. Excused, none.

**SCRep. 296 (Joint) Agriculture and Environment and Water and Land on S.B. No. 948**

The purpose and intent of this measure is to appropriate funds to allow the Division of Forestry and Wildlife to coordinate the removal of hazard *Albizia* trees that potentially threaten public and private land.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Emergency Management Agency, University of Hawai'i College of Tropical Agriculture and Human Resources, Energy and Climate Action Committee of the Environmental Caucus of the Democratic Party of Hawai'i, and four individuals.

Your Committees find that invasive *Albizia* trees are a major hazard to natural areas, private property, and infrastructure in the State. *Albizia* can thrive in a broad range of habitats and threaten native ecosystems by its substantial dispersal of seeds that are carried by winds over long distances. Your Committees additionally find that *Albizia* trees in Hawaii are among the fastest growing trees on Earth. Their rapid growth rate produces massive trunks and limbs that are prone to sudden breakage and the collapse of enormous live branches. This measure appropriates funds to the Department of Land and Natural Resources to coordinate the removal of *Albizia* trees that pose a hazard to public and private 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. 948 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; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 297 Agriculture and Environment on S.B. No. 1010**

The purpose and intent of this measure is to amend the definition of restricted use pesticides to include malathion.

Your Committee received testimony in support of this measure from Adaptations, Inc.; Ka Ohana O Na Pua; Hawai'i Alliance for Progressive Action; Kuwale Ridge Farms; Food+ Policy Internship 2023; Hawai'i Farmers Union United; Environmental Caucus of the Democratic Party of Hawai'i; Waihunahuna Foundation; and forty-two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Crop Improvement Association; Western Plant Health; CropLife America; Responsible Industry for a Sound Environment; and one individual. Your Committee received comments on this measure from the Department of Agriculture, Department of Agriculture Pesticides Branch, Department of the Attorney General, and one individual.

Your Committee finds that malathion is an insecticide in the chemical family known as organophosphates and is used outdoors as pest control for a wide variety of insects and has been principally used for mosquito control and fruit fly eradication programs in the United States. Malathion is a neurotoxic cholinesterase inhibitor that causes the rapid build up of acetylcholine in insects and exposed humans, leading to uncontrolled rapid twitching of some muscles, paralyzed breathing, convulsions, nausea, pain, and death, in extreme cases. Exposure has also been linked to developmental delays, impaired cognitive development, and a host of learning and behavioral problems in young children.

Your Committee further finds that in March 2022, there was a chemical spill at a beachside residence in Mokuleia that affected about twenty residences. When the fire department, police, and neighborhood members attempted to assist in the cleanup, two exposed people using personal protection equipment were sent to the emergency room. Days later, many neighbors continued to experience severe symptoms, and an exposed downwind neighbor went to the hospital. Your Committee considers malathion to be a poisonous nerve toxin that is dangerous to humans, beneficial insects, animals, and the environment and is lethal to vulnerable marine life ecosystems when contaminated runoff from heavy rains reach the ocean. However, your Committee also acknowledges that malathion has an important use in keeping the public safe from mosquito born viruses like Zika virus, West Nile virus, and dengue. Thus, this measure classifies malathion as a restricted use pesticide, which severely limits its availability to the public for the sake of public health and the environment.



Your Committee has amended this measure by:

- (1) Deleting the definition for malathion to clarify that only malathion, and not all organophosphate insecticides, is classified as a restricted use pesticides; 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. 1010, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1010, 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 (DeCoite, Richards). Noes, none. Excused, none.

**SCRep. 298      Agriculture and Environment on S.B. No. 1132**

The purpose and intent of this measure is to appropriate funds for the Department of Agriculture to identify a central area on Maui, then plan, design, and construct a hemp decorticator facility for the use of interested parties in the area.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Hemp Farmers Association, Hawai'i Farm Bureau, and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that hemp is among the fastest growing plants on earth and can be refined into a variety of useful items such as paper, rope, textiles, clothing, biodegradable plastics, paint, building insulation, biofuel, and animal feed. Hemp-derived products are so wide-ranging that the creation of a decorticator processing facility and its consequent production and sales of hemp-derived materials have the potential to significantly strengthen and reinforce Hawaii's hemp industry, thus boosting economic growth and creating jobs in the State. This measure appropriates funds for the Department of Agriculture to identify a central area on Maui, then plan, design, and construct a hemp decorticator facility for the use of interested parties on the island.

Because the timing involved does not allow for the design phase, much less the construction phase, to begin, your Committee has amended this measure by inserting recommended language from the Department of Agriculture to reflect planning funding only.

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. 1132, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1132, 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. 299      (Joint) Agriculture and Environment and Water and Land on S.B. No. 1350**

The purpose and intent of this measure is to:

- (1) Establish the Climate Impact Special Fund;
- (2) Allocate five cents a barrel from the Environmental Response, Energy, and Food Security Tax to the Climate Impact Special Fund;
- (3) Appropriate funds to the Hawaii Climate Change Mitigation and Adaptation Commission to address impacts of climate change and to mitigate further impacts on the State through carbon sequestration and resiliency planning; and
- (4) Allocate funds to the sea level rise voluntary relocation fund.

Your Committees received testimony in support of this measure from the Office of the Governor, Hawai'i Emergency Management Agency, Hawai'i Climate Change Mitigation and Adaptation Commission, Office of Planning and Sustainable Development, Hawaii Green Infrastructure Authority, Department of Land and Natural Resources, University of Hawai'i Sea Grant Program, Climate Resilience Collaboration, Office of the Mayor of the County of Maui, Hawaiian Electric, Climate Protectors Coalition, Energy and Climate Action Committee of the Environmental Caucus of the Democratic Party of Hawai'i, The Nature Conservancy, and six individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Tax Foundation of Hawaii and one individual.

Your Committees find that Hawaii is experiencing a climate emergency and that climate change will lead to dire consequences for the State's economy, sustainability, environment, security, culture, and way of life. This measure establishes a Climate Impact Special Fund to allocate and appropriate funds to address impacts of climate change and mitigate further impacts to the State.

Your Committees have amended this measure by:

- (1) Deleting the allocation of five cents a barrel from the Environmental Response, Energy, and Food Security Tax to the Climate Impact Special Fund;
- (2) Deleting the establishment of the Climate Impact Special Fund;
- (3) Appropriating funds from general revenues, rather than the Climate Impact Special Fund, for the purposes of carrying out the operations of the Hawaii Climate Change Mitigation and Adaptation Commission;
- (4) Appropriating funds from general revenues, rather than the Climate Impact Special Fund, to transfer moneys to the sea level rise voluntary relocation fund to carry out the purposes of the Hawaii Climate Change Mitigation and Adaptation Commission;
- (5) Amending section 1 to reflect its amended purpose; and

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

Your Committees note that they were not able to confirm the establishment of a sea level rise voluntary relocation fund in existing law; therefore, in future deliberations of this measure, consideration should be given to confirming the fund into which the \$20,000,000 appropriation made in section 3 of this measure is intended to be placed.

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. 1350, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1350, 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; Ayes with Reservations (Rhoads). Noes, none. Excused, 1 (Awa).

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 300 (Joint) Agriculture and Environment and Water and Land on S.B. No. 1498**

The purpose and intent of this measure is to:

- (1) Prohibit the Board of Land and Natural Resources from disturbing or acquiring for development certain wetland taro-growing lands;
- (2) Establish a taro lands classification for public lands;
- (3) Permit structures for loi taro fields in the agricultural district;
- (4) Establish growth and perpetuation of traditional Hawaiian crops as a goal of the Hawaii State Planning Act; and
- (5) Authorize the Land Use Commission to create an inventory of taro lands and consult with former members of the Taro Security and Purity Task Force in the creation of the inventory.

Your Committees received testimony in support of this measure from Ku-A-Kanaka, LLC; Malama Makua; Hawai'i Farmers Union United; Energy and Climate Action Committee of the Environmental Caucus of the Democratic Party of Hawai'i; and eight individuals.

Your Committees find that taro, or kalo, is a traditional Hawaiian vegetable root crop and food that has sustained Hawaii's people and culture for centuries and that the preservation and protection of taro and taro farming is a significant piece of the State's cultural identity and food security initiative. This measure recognizes the importance of taro by helping to protect and preserve taro-growing lands and sets out a system for creating an inventory of taro lands and consulting with former members of the Taro Security and Purity Task Force in its creation. Additionally, this measure emphasizes the growth and perpetuation of traditional Hawaiian crops as a goal of the Hawaii State Planning Act, which further contributes to the preservation of taro and reaffirms its significance to Hawaiian culture.

Your Committees acknowledge the recommendations raised in testimony by a former member of the Taro Security and Purity Task Force, which include, in summary:

- (1) Amending the definition of "farming operation" under section 165-2, Hawaii Revised Statutes, to be inclusive of operations other than just commercial taro farm rehabilitation on state lands;
- (2) Removing the "high productivity" requirement from the definition of taro lands under section 171-1, Hawaii Revised Statutes, and the taro land classification under section 171-10(1)(D), Hawaii Revised Statutes, as proposed in this measure, to protect taro lands beyond those with only "high productivity" designations;
- (3) Amending section 205-4.5(8), Hawaii Revised Statutes, and section 206-7(a), Hawaii Revised Statutes, to remove the requirement that taro sites must currently be in cultivation to be protected so that those lands both in cultivation now and those with the potential for cultivation in the future will be protected; and
- (4) Requiring, rather than authorizing, the Land Use Commission to create an inventory of taro lands to ensure that the inventory is conducted.

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. 1498 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. 301 (Joint/Majority) Agriculture and Environment and Water and Land on S.B. No. 1417**

The purpose and intent of this measure is to require the Hawaii Community Development Authority to consider the impacts of climate change, sea level rise, and climate resilience development in the design and siting of buildings in the Kakaako and Kalaeloa community development districts.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development, Hawai'i Community Development Authority, University of Hawai'i System, Climate Protectors Coalition, and two individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that Hawaii is experiencing a climate emergency. Climate change and sea level rise pose significant, dangerous, and imminent threats to public safety, nature and the environment, cultural resources, property, infrastructure, and government functions. Your Committees further find that the Hawaii Community Development Authority plans, coordinates, and implements new infrastructure and development projects in the Kakaako and Kalaeloa community development districts on Oahu. Your Committees recognize that the Kakaako Community Development District will be particularly threatened by the effects of climate change, including sea level rise, king tides, and heavy rainfall, and that the lack of drainage infrastructure in the Kalaeloa Community Development District makes it especially vulnerable to heavy rainfall and other effects of climate change. Thus, this measure requires the Hawaii Community Development Authority to consider the impacts of climate change, sea level rise, and climate resilient development in the design and siting of buildings in the Kakaako and Kalaeloa community development districts.

Your Committees have amended this measure by inserting recommended language from the University of Hawai'i Sea Grant College Program and Climate Resilience Collaboration that requires development in the Kakaako and Kalaeloa community development districts to implement certain design standards for new construction relating to the elevation of the lowest first floor.

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. 1417, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1417, 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; Ayes with Reservations (Richards). Noes, 1 (Awa). Excused, none.

Water and Land: Ayes, 4. Noes, 1 (Fevella). Excused, none.

**SCRep. 302 (Joint) Agriculture and Environment and Water and Land on S.B. No. 1486**

The purpose and intent of this measure is to require the Department of Agriculture, in collaboration with the Hawaii Interagency Council on Homelessness; Department of Land and Natural Resources, Division of Forestry and Wildlife; and Department of Health, Food Safety Branch, in consultation with the County of Maui Axis Deer Task Force, to develop and implement a plan to expand the meat processing capacity in the State to allow for meat from axis deer and other wild game to be processed for distribution by nonprofit food distribution services.

Your Committees received testimony in support of this measure from the Department of Agriculture; one member of the Maui County Council; Maui County Farm Bureau; Hawai'i Farm Bureau; McCandless Ranch; Ponoholo Ranch Limited; Albatross News Hilo; Hawaii Cattlemen's Council, Inc.; Aina Ho'okupu o Kilauea; Hawai'i Farmers Union United; Mulkern Landscaping and Nursery; and eight individuals.

Your Committees find that the rapid proliferation of axis deer populations on Maui and other islands has devastated crops and native vegetation, and threatens the health of delicate land ecosystems in the State. Your Committees further find that there is a public desire to utilize the axis deer to feed under-nourished and under-resourced communities in the State and that there is a need to expand Hawaii's meat processing capacity in order to accomplish this. Thus, this measure develops and appropriates funds for the expansion of the State's meat processing capacity, along with a donation program, to allow for meat sourced from axis deer or other wild game to be processed and donated for distribution by nonprofit food services to under-resourced communities.

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 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. 1486, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1486, 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. 303 (Joint) Agriculture and Environment and Water and Land on S.B. No. 1501**

The purpose and intent of this measure is to prohibit the Board of Land and Natural Resources from disturbing or acquiring for development certain wetland taro-growing lands.

Your Committees received testimony in support of this measure from Ku-A-Kanaka, LLC; Malama Makua; Hawaiian Caucus of the Democratic Party of Hawai'i; Hawai'i Farmers Union United; and seven individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that taro, or kalo, is a traditional Hawaiian vegetable root crop and food that has sustained Hawai'i's people and culture for centuries and that the preservation and protection of taro and taro farming is a significant piece of the State's cultural identity and food security initiative. This measure improves protections for wetland taro lands and ancient agricultural structures on state owned or acquired lands.

Your Committees have amended this measure by incorporating the recommendations raised in testimony by the Department of Land and Natural Resources to adopt language used in a similar measure, S.B. No. 1498, Regular Session of 2023, which specifies that the Board of Land and Natural Resources shall not disturb certain taro lands and systems on undeveloped lands used for wetland taro cultivation before statehood and currently in use for wetland taro cultivation.

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. 1501, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1501, 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. Noes, none. Excused, none.

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 304 Health and Human Services on S.B. No. 64**

The purpose and intent of this measure is to:

- (1) Require issuers of Medigap insurance in the State to accept an eligible individual's application for coverage at any time throughout the year;
- (2) Prohibit issuers from denying the applicant a Medigap policy or certificate or making any premium rate distinctions for various reasons, including health status; and
- (3) Require the Insurance Commissioner to amend or adopt rules accordingly.

Your Committee received testimony in support of this measure from the Leukemia & Lymphoma Society, ALS Association, Chronic Disease Coalition, Dialysis Patient Citizens, AARP Hawai'i, and two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Insurance Division and one individual.

Your Committee finds that existing state law requires insurance companies that sell Medicare supplement insurance, also known as Medigap insurance, to issue Medigap insurance on a guaranteed-issue basis to eligible individuals without adjusting premiums based on medical underwriting, as long as their applications are submitted within the open enrollment period. Your Committee further finds that under existing law, it is extremely difficult for individuals whose health conditions or financial situations may have changed after their open enrollment period to switch to another Medigap benefit plan that is more suitable. This measure ensures that Medicare enrollees can switch between Medigap benefit plans at any time throughout the year without their premiums being adjusted for various reasons, including health status, even after their open enrollment period.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 64, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 64, 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. 305 (Majority) Health and Human Services on S.B. No. 161**

The purpose and intent of this measure is to appropriate grant-in-aid funding to the YMCA of Honolulu for its Youth Wellness Program for Mental Health to improve mental health and address the wellness needs of youths in the State.

Your Committee received testimony in support of this measure from the YMCA of Honolulu, thirty-three teen participants of the YMCA of Honolulu Youth Wellness Program for Mental Health, and three individuals.

Your Committee finds that the effects of the coronavirus disease 2019 pandemic have had a deleterious effect on the mental health of adolescents in the State and that significant investments are required to reverse and address the eroding mental well-being of these youth. Your Committee notes the testimony submitted by numerous teen participants of the YMCA of Honolulu Youth Wellness Program for Mental Health, attesting to the program's success in working with youth and offering evidenced-based practices to support mental wellness, prevention and intervention services, and supportive services to youth dealing with substance abuse. Your Committee further finds that to improve mental health and address the wellness needs of youths in the State, the YMCA of Honolulu Youth Wellness Program for Mental Health is proposing to engage four thousand five hundred youth in various therapeutic activities at various YMCA locations and venues. The funds appropriated by this measure will allow the YMCA of Honolulu to develop and implement its Youth Wellness Program for Mental Health statewide.

Your Committee requests that your Committee on Ways and Means consider an appropriation amount of \$2,700,000 as a grant-in-aid to the YMCA of Honolulu for the YMCA of Honolulu Youth Wellness Program for Mental Health to improve mental health and wellness needs of youths in the State.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 161, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 161, 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 (Awa). Excused, none.

**SCRep. 306 (Majority) Health and Human Services on S.B. No. 45**

The purpose and intent of this measure is to provide an additional means for minors to petition for a protective order in cases of domestic abuse by allowing a school counselor, domestic violence victim advocate, or other mental health professional licensed by the State to file the petition with the court on behalf of a minor when the minor's parent or guardian is unwilling or unable to do so.

Your Committee received testimony in support of this measure from 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 Education, Hawai'i State Coalition Against Domestic Violence, and Domestic Violence Action Center.

Your Committee finds that existing law gives a minor two ways of petitioning the court for an order for protection in cases of domestic abuse -- through the minor's family or household member or through a state agency. Your Committee finds, however, that some minors in abusive romantic relationships may be reluctant to ask their parents, families, or a state agency for assistance but may be willing to accept help from other trusted adults, such as school counselors, domestic violence victim advocates, and mental health professionals. This measure will allow these adults to file a petition for a protective order on the minor's behalf when the minor's parent or guardian is unwilling or unable to submit a petition.

Your Committee notes testimony raising concerns over the difficulty of establishing a parent or guardian's "unwillingness" to file a petition for a protective order on behalf of a minor. Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that school counselors, domestic violence victim advocates, or other mental health professionals licensed by the State may petition for a protective order on a minor's behalf only when the minor's parent or legal guardian is unable to petition on the minor's behalf;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 45, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 45, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 307 Health and Human Services on S.B. No. 237**

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 the dynamics of domestic violence every three years; and
- (2) Require the individuals to submit a letter or certificate of completion of the training course to the Family Court.

Your Committee received testimony in support of this measure from the Judiciary, Midwives Alliance of Hawaii, Domestic Violence Action Center, Hawai'i State Coalition Against Domestic Violence, and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Coalition for Child Protective Reform and three individuals.

Your Committee 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. Knowledge pertaining to domestic violence, including its lethality, subtlety, and prevalence, is especially important for child custody evaluators who provide written reports to the court and testify at court hearings and trials, so that their recommendations to the court truly serve the best interests of the child. This measure ensures that child custody evaluators receive continuing education on the issue of domestic violence.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 237, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 237, 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. 308 Health and Human Services on S.B. No. 1035**

The purpose and intent of this measure is to exempt amounts received for health care related goods or services that are reimbursed through Medicaid, Medicare, or TRICARE from the general excise tax.

Your Committee received testimony in support of this measure from the University of Hawai'i System, AARP Hawai'i, Hawai'i Association of Professional Nurses, Kūpuna Caucus' Health and Medical Services Sub-Committee of the Democratic Party of Hawai'i, East Hawaii Independent Physicians Association dba Big Island Docs, Hawaii Medical Association, Hawai'i Island Chamber of Commerce, Klein Natural Health and Wellness Center, Hawai'i Provider Shortage Crisis Task Force, and ten individuals. Your Committee received comments on this measure from the Department of Taxation, Grassroot Institute of Hawaii, Tax Foundation of Hawaii, and Hawai'i Society of Naturopathic Physicians.

Your Committee finds that medical services rendered by private individual or group practices or clinics are subject to the general excise tax. Hawaii is one of only two states that levies a tax on medical services. Further, Medicare, Medicaid, and TRICARE prohibit medical service providers from adjusting their fees to account for the tax. The tax disproportionately and significantly burdens private medical service providers, exacerbating the financial difficulty of operating a private practice and disincentivizing private medical service providers from servicing low-income, vulnerable, and active and retired military service individuals. This measure removes this disincentive by exempting Medicare, Medicaid, and TRICARE reimbursements for health care related goods or services from the general excise tax.

Your Committee notes the concerns raised in testimony that this measure, as currently written, excludes medical services provided by naturopathic physicians from the proposed general excise tax exemption. Naturopathic physicians function as primary care physicians in the State, and, similar to those providers defined as “medical practitioners” in this measure, naturopathic physicians aid in relieving the State’s ongoing health care provider shortage. Your Committee additionally notes the Department of Taxation’s request for an effective date of January 1, 2024. Your Committee finds that these issues merit further consideration and respectfully requests your Committee on Ways and Means and Commerce and Consumer Protection consider these concerns.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1035, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1035, S.D. 1, and be referred to your Committees on Ways and Means and Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 309      Ways and Means on S.B. No. 573**

The purpose and intent of this measure is to amend the law relating to economic development.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed Senate Draft 1, which amends this measure by deleting its contents and replacing it with contents to change the governing body of the Hawaii Technology Development Corporation by replacing the member appointed from the University of Hawaii with an at-large member.

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. 573, 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. 573, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Keith-Agaran, Moriwaki).

**SCRep. 310      (Joint) Housing and Water and Land on S.B. No. 330**

The purpose and intent of this measure is to authorize the Hawaii Housing Finance and Development Corporation (HHFDC) the right of first refusal for the development of property for all development on state lands, excluding Hawaii Public Housing Authority and Department of Hawaiian Home Land lands, that are within a one-half mile radius of a rail transit station, provided there is a transfer of any property interest, including a leasehold interest, in state lands that are within a one-half mile radius of a rail transit station.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Hawaiian Home Lands, and Department of the Attorney General.

Your Committees find that there is a severe shortage of affordable housing in the State. Providing HHFDC with the opportunity to obtain control of and develop affordable housing on state lands near rail transit stations will help to increase the State’s inventory of affordable housing.

Your Committees have amended this measure by:

- (1) Exempting lands within the Stadium Development District from this measure;
- (2) Incorporating language recommended by the Department of the Attorney General, which:
  - (A) Clarifies that the proposed development or transfer of any fee simple or leasehold property interest shall trigger HHFDC’s right of first refusal;
  - (B) Provides HHFDC with sixty days advance notice of any proposed development or transfer of property interest; and
  - (C) Establishes a sixty-day deadline for HHFDC to exercise its right of first refusal; 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 Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 330, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 330, 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, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 311 (Joint) Housing and Health and Human Services on S.B. No. 881**

The purpose and intent of this measure is to:

- (1) Authorize the issuance of general obligation bonds to the Hawaii Public Housing Authority for the development and construction of permanent supportive housing for certain vulnerable individuals; and
- (2) Require the Hawaii Housing Finance and Development Corporation (HHFDC) to consider any available federal low-income housing tax credits (LIHTC) needed for construction of permanent supportive housing units.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness; Hawaii Housing Finance and Development Corporation; Hawaii Public Housing Authority; Hawai'i Health & Harm Reduction Center; Highridge Costa Development Company, LLC; Catholic Charities Hawai'i; Hope Services Hawaii, Inc; and two individuals. Your Committees received testimony in opposition to this measure from Kobayashi Group, LLC. Your Committees received comments on this measure from Department of Land and Natural Resources.

Your Committees find that this measure aligns with the Governor's priorities on homelessness, including an emphasis on creating or acquiring more permanent supportive housing for people experiencing homelessness, and who may need supportive services, once housed. According to testimony from Kobayashi Group, LLC, directing HHFDC to consider allocating LIHTC towards permanent supportive housing under this measure means handcuffing HHFDC's ability to consider and prioritize funding for other much-needed areas of the State, such as housing for households that make thirty to sixty percent of the area median income. Your Committees recognize their concern and note that, during your Committee on Housing's February 2, 2023 hearing on Senate Bill No. 936, Regular Session of 2023, which would have required HHFDC to prioritize the allocation of LIHTC to state-owned development projects, HHFDC testified against the allocation of LIHTC to fund-specific projects and has reiterated the same concerns for this measure. Nonetheless, your Committees believe that the State must continue to increase investments in housing to address the housing shortage as well as homelessness in the State.

Your Committees have amended this measure by:

- (1) Inserting language upon the recommendation of the Governor's Coordinator on Homelessness to use the existing process of homeless verification letters provided by recognized homeless services providers in determining eligibility for the permanent supportive housing units established pursuant to this measure, rather than restricting eligibility to only those who meet the definition of "chronically homeless";
- (2) Inserting a blank appropriation amount; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees further note that the Senate Draft 1 of this measure contains an unspecified appropriation amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider inserting an appropriation amount of \$60,000,000.

As affirmed by the records of votes of the members of your Committees on Housing and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 881, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 881, 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.  
 Health and Human Services: Ayes, 5. Noes, none. Excused, none.

**SCRep. 312 Housing on S.B. No. 858**

The purpose and intent of this measure is to require the Hawaii Housing Finance and Development Corporation (HHFDC) to:

- (1) Amend the Low-Income Housing Tax Credit (LIHTC) Qualified Allocation Plan (QAP) to allow up to twenty percent of the maximum one hundred twenty points on the application criteria point system to be allocated to projects offering to convey ownership of the completed project to the State or an organization obliged to use all financial surpluses generated by the project to construct more housing; and
- (2) Prioritize applicants based on the timeliness and loan amount repaid to the Rental Housing Revolving Fund.

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 one individual. Your Committee received comments on this measure from Hawaii Housing Finance and Development Corporation; Building Industry Association of Hawaii; and NAIOP Commercial Real Estate Development Association, Hawaii Chapter.

Your Committee finds that there is a nationwide trend for state housing finance agencies to prioritize the allocation of housing incentives to its public housing agency for state-owned development projects. By providing projects that are or will be State-owned with greater priority in the awarding of LIHTC, the Legislature can help to ensure that local housing development is less profit-motivated and more focused on providing Hawai'i's residents with a greater number of affordable housing options. According to testimony presented to your Committee during the public hearing on this measure, the QAP, a document that is responsible for the allocation of LIHTC in the State, is revised every two years. Your Committee urges HHFDC to consider the Committee's concerns

relating to the criteria for the award of points, allocation of tax credits, use of profits generated from federal and state funds, and the further generation of profits after the affordability period of a project in the next update of the QAP.

Your Committee has amended this measure by:

- (1) Inserting language that prioritizes the allocation of low-income housing tax credits to state-owned development projects;
- (2) Prohibiting HHFDC from awarding additional points for developer fees that are under twelve per cent;
- (3) Requiring HHFDC to prioritize applicants who have demonstrated accelerated full repayment into the Rental Housing Revolving Fund for past Rental Housing Revolving Fund loans;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 858, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 858, 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 (Rhoads).

**SCRep. 313 (Joint/Majority) Housing and Health and Human Services on S.B. No. 1551**

The purpose and intent of this measure is to:

- (1) Establish a Supportive Housing Pilot Program in the statewide Office on Homelessness and Housing Solutions; and
- (2) Appropriate funds and establish positions for the Supportive Housing Pilot Program.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness; Department of Public Safety; State Council on Developmental Disabilities; State Procurement Office; Hawaii Public Housing Authority; Hawaii Housing Finance and Development Corporation; Hawai'i Health & Harm Reduction Center; Affordable Housing Connections, LLC dba AHC Hawaii; Catholic Charities Hawai'i; Hawaii Substance Abuse Coalition; Hawaii Autism Foundation; The Institute for Human Services, Inc.; AARP Hawai'i; Keiki Education Living Independent Institute; HOPE Services Hawaii, Inc; Pacific Housing Assistance Corporation; Fuller Lives; and ten individuals. Your Committees received comments on this measure from the Department of Human Services.

Your Committees find that the concept of supportive housing has been shown to decrease homelessness, reduce burdens and costs on public systems, and decrease crime rates. Your Committees recognize that the State has a need for significant public financing of housing units since the free market is not generating the essential inventory and that there is also a critical need for rental subsidies and supportive services to help individuals and households with special needs maintain housing over time. According to testimony received by your Committees, the support systems proposed in this pilot program will increase long-term benefits for several populations with various housing challenges statewide. Your Committees note that during the February 2, 2023 Committee on Housing's hearing on Senate Bill No. 936, Regular Session of 2023, which would have required HHFDC to prioritize the allocation of low-income housing tax credits to state-owned development projects, HHFDC testified against the earmarking of funds for specific projects and has reiterated the same concerns for this measure.

Your Committees have amended this measure by:

- (1) Clarifying the Hawaii Public Housing Authority shall implement project-based rent supplement payments at levels sufficient to fill the gap between the flat rents needed to cover project costs and an amount that targeted residents can afford;
- (2) Deleting language that would have exempted the statewide Office on Homelessness and Housing Solutions and the Hawaii Housing Public Authority from the State Procurement Code for the supportive housing program;
- (3) Extending the deadlines of the interim and final reports to the Legislature by one year to account for the planning and inter-agency coordination needed to implement this measure; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that the Senate Draft 1 of this measure does not make appropriations for fiscal year 2024-2025, but only for fiscal year 2023-2024. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it considers inserting appropriation language that would also allow for an appropriation in fiscal year 2024-2025.

As affirmed by the records of votes of the members of your Committees on Housing and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1551, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1551, 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, 1 (Awa). Excused, none.  
Health and Human Services: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 314 (Joint) Housing and Water and Land on S.B. No. 1573**

The purpose and intent of this measure is to:



- (1) Establish a working group within the Department of Land and Natural Resources to ascertain the State's available water resources as pertaining to affordable housing;
- (2) Require the working group to inventory all available water resources statewide and identify sources of aquifer replenishment in relation to affordable housing development; and
- (3) Require a report to the Legislature.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Natural Energy Laboratory of Hawaii Authority, one member of the Hawai'i County Council, two members of the Kaua'i County Council, Honolulu Board of Water Supply, Department of Water Supply for the County of Hawaii, and Hawai'i Association of REALTORS. Your Committees received comments on this measure from the Department of Land and Natural Resources and one individual.

Your Committees find that the permitting for potable water systems and infrastructure is a critical issue that affects delaying the development of affordable housing projects statewide. This measure addresses this long-standing issue by establishing a working group to determine a balance between water resource management and fulfilling the need for more affordable housing.

Your Committees have amended this measure by:

- (1) Administratively attaching the working group to the Office of the Governor and requiring the Chief Housing Officer to lead and chair the working group;
- (2) Requiring the working group to also ascertain water system source capacity and streamline the well permit approval processes to ensure available water supply;
- (3) Requiring the working group to submit an interim progress report to the Legislature that includes a plan on how it intends to proceed in carrying out its duties under this measure and requiring a final report to the Legislature prior to the Regular Session of 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 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. 1573, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1573, 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. 315 Health and Human Services on S.B. No. 1592**

The purpose and intent of this measure is to appropriate funds for three full-time equivalent (3.0 FTE) Program Specialist positions within the Executive Office on Aging for the State's Senior Medicare Patrol Program.

Your Committee received testimony in support of this measure from the Department of Health Executive Office on Aging, Policy Advisory Board for Elder Affairs, Kūpuna Caucus of the Democratic Party of Hawai'i, AARP Hawai'i, and ten individuals.

Your Committee finds that the safety and welfare of the State's kupuna is a priority. The State's Senior Medicare Patrol (SMP) Program educates, assists, and protects Hawaii's most vulnerable population by providing one-to-one counseling, conducting community outreach, and working with other service providers to build a "help net" to assist kupuna statewide. While the State's SMP Program was established to protect kupuna from Medicare fraud, it has since expanded and established a network of partnerships across the finance, technology, legal, and retail industries to help kupuna triage non-health related fraud cases. The State's SMP Program also serves as a reliable source of accurate information and responsive assistance with Medicare, Medicaid, and other health-related scams. Despite significant increases in scam incidences, the program continues to employ just two temporary full-time staff positions and relies upon volunteers to provide services. To meet the increased demand for services, this measure expands the capacity of the State's SMP Program by appropriating funds for three Program Specialist positions.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (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.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider inserting an appropriation amount of \$229,680.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1592, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1592, 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 (Shimabukuro, Awa).

**SCRep. 316 (Majority) Health and Human Services on S.B. No. 163**

The purpose and intent of this measure is to appropriate funds for an Alzheimer's Disease and Related Dementias Public Health Campaign, including funds to establish one full-time equivalent (1.0 FTE) Alzheimer's Disease and Related Dementias Services Coordinator position within the Department of Health's Executive Office on Aging.

Your Committee received testimony in support of this measure from AARP Hawai'i, Iron Workers Stabilization Fund, Hawai'i Primary Care Association, Alzheimer's Association, UNITE HERE Local 5, and eleven individuals. Your Committee received comments on this measure from the Department of Health Executive Office on Aging.

Your Committee finds that Alzheimer's disease is a public health crisis across the country and is currently the sixth leading cause of death in the United States. Alzheimer's disease also significantly impacts Hawaii. By 2025, it is estimated that over 35,000 Hawaii residents aged sixty-five or older will be living with Alzheimer's disease. A number of new therapies approved by the Food and Drug Administration may allow more people to participate in daily activities, remain independent, and decide on the future of their health. These therapies are beneficial at the early onset of the disease, and therefore, early detection and diagnosis are critical. This measure will allow the Executive Office on Aging to organize and carry out a campaign to educate the public on early signs of cognitive impairment, the value of early detection and diagnosis, and the benefits of discussing changes in memory and thinking with health care professionals.

Your Committee notes the testimony of the Executive Office on Aging and others, stating that the establishment of an Alzheimer's Disease and Related Dementias Services Coordinator position is unnecessary as the position is already statutorily established and filled within the Executive Office on Aging and funding therefore is included in the executive budget. Accordingly, amendments to this measure are necessary to remove language that requires a portion of the appropriated funds to establish the position.

Your Committee requests that your Committee on Ways and Means consider an appropriation amount of \$1,000,000 for the Alzheimer's Disease and Related Dementias Public Health Campaign; provided that the appropriation does not reduce or replace priorities within the Department of Health's budget request regarding the Executive Office on Aging.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Deleting language that would have required a portion of the appropriated funds to be used to establish one full-time equivalent (1.0 FTE) Alzheimer's Disease and Related Dementias Services Coordinator position within the Executive Office on Aging;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 163, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 163, 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 (Awa). Excused, none.

**SCRep. 317 Health and Human Services on S.B. No. 406**

The purpose and intent of this measure is to:

- (1) Allow grandparents of a minor child to petition the court for an order granting reasonable visitation rights when the child's parent is unable to exercise parental visitation rights due to death or incarceration;
- (2) Set forth procedures, considerations, and standards for the court to grant grandparent visitation rights; and
- (3) Specify that any person who violates the terms and conditions of a court order granting reasonable grandparent visitation rights may be held in contempt of court.

Your Committee received comments on this measure from the Department of the Attorney General and the Judiciary.

Your Committee finds that many grandparents in the State desire to maintain their relationship with or assist in caring for their minor grandchildren when their child, who is a parent of the minor, is otherwise unable to provide necessary care due to incarceration or death. This measure will allow the court to award reasonable grandparent visitation rights in certain circumstances while preserving the right of parents or custodians to make decisions concerning the care, custody, and control of their children.

Your Committee further finds that, per testimony submitted by the Department of the Attorney General and the Judiciary, amendments to this measure are necessary to address constitutional concerns and satisfy existing federal and state legal precedent.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the court, in its determination of awarding reasonable grandparent visitation rights, to find that denial of reasonable grandparent visitation rights would cause significant harm to the child;
- (2) Clarifying that the presumption that a parent or custodian's decision regarding visitation is in the best interest of the child may be rebutted by clear and convincing evidence, rather than a preponderance of the evidence, that denial of reasonable grandparent visitation rights would cause significant harm to the child;
- (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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 406, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 406, 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. 318 Health and Human Services on S.B. No. 614**

The purpose and intent of this measure is to:

- (1) Require the Department of Human Services to:
  - (A) 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;
  - (B) Establish a Neighbor Islands Blind and Visually Impaired Service Pilot Program Working Group and submit a pilot program implementation plan to the Legislature before the Regular Session of 2024; and
  - (C) Submit a report on the Neighbor Islands Blind and Visually Impaired Service Pilot Program to the Legislature prior to the Regular Session of 2027; and
- (2) Appropriate \$25,000 to fund the establishment and operation of the Neighbor Islands Blind and Visually Impaired Service Pilot Program and Working Group.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Department of Human Services, Hawaii State Committee of Blind Vendors, National Federation of the Blind of Hawaii, National Organization of Parents of Blind Children, and six individuals.

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 communities.

Your Committee has heard the testimony of the Department of Human Services raising concerns regarding its lack of staffing and fiscal resources to implement the proposed pilot program, and that the number of necessary personnel would need to be researched through consultation with the working group. Your Committee also acknowledges the Department's concern that due to the federal funding requirements of the Vocational Rehabilitation and Independent Living Services for Older Blind grants, funding for the new positions would need to be appropriated from the State's general funds in its entirety. Your Committee finds that these issues raise concerns that merit further consideration and requests further examination by your Committee on Ways and Means.

Your Committee has amended this measure by:

- (1) Inserting language that allows, instead of requires, the Department of Human Services to enter into a contract with a nonprofit organization to oversee the pilot program and manage its volunteer personnel;
- (2) Inserting a blank appropriation amount;
- (3) Amending section 1 to clarify its purposes;
- (4) Inserting an effective date of December 31, 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 614, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 614, 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. 319 (Majority) Health and Human Services on S.B. No. 407**

The purpose and intent of this measure is to:

- (1) Establish a definition for "immediate harm" and amend the definition of "imminent harm" for the purpose of the Child Protective Act; and
- (2) Require a police officer who assumes protective custody of a child who is subject to immediate harm without a court order to provide a written report detailing the observations justifying the immediate removal to the Department of Human Services within twenty-four hours of assuming custody of the child.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Hawaii Coalition for Protective Child Reform and two individuals. Your Committee received comments on this measure from the Department of Human Services, Judiciary, and Department of the Attorney General.

Your Committee finds that research is clear that removal of children from their family's custody, including necessary removals, are harmful to children, and that the psychological and emotional harm to children must always be considered throughout their contact with a system meant to protect them. Your Committee further finds that in more than eighty percent of foster custody cases in Hawaii,

children are removed from the custody of their parents without a court order based on a police officer's determination that the child is subject to imminent harm. It is reported that Hawaii relies on removals without court orders far more than many other jurisdictions in the Western United States.

Your Committee further finds that one of the reasons for the State's high rate of child removals without a court order is the overly broad statutory definition of "imminent harm", which allows immediate removal if, "without intervention within the next ninety days, there is reasonable cause to believe that harm to the child will occur or reoccur". Your Committee finds that the ninety-day period is an excessive amount of time to allow the police or the Department of Human Service's Child Protective Services Branch to petition and obtain a court order for removal of the child from the family's custody. This measure seeks to better balance the safety of the child with the rights of the parents.

Your Committee notes the testimony submitted by the Judiciary recommending a number of amendments to this measure to remove ambiguities and make other conforming amendments.

Accordingly, your Committee has amended this measure by:

- (1) Amending the definition of "immediate harm" to mean an active, present danger to a child that is observable, and that, without immediate intervention, there is reasonable cause to believe that serious harm to the child will result in the time it would take to obtain a court order pursuant to section 587A-12, Hawaii Revised Statutes;
- (2) Requiring the Department of Human Services to file a petition for a protective order on behalf of the child that shall attach a copy of the initial police report within twenty-four hours of receiving an initial police report from a police officer who assumed protective custody of a child without a court order;
- (3) Making conforming amendments to provisions in the Child Protective Act that govern:
  - (A) Court orders based on a finding that the child is subject to immediate harm that require a police officer to immediately take a child into protective custody and the Department of Human Services to immediately assume temporary foster custody of the child; and
  - (B) Temporary foster custody hearings;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 407, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 407, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 320 Health and Human Services on S.B. No. 440**

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 the premises of dispensaries, subject to Administrative Rules adopted by the Department of Health.

Your Committee received testimony in support of this measure from the Hawai'i Cannabis Industry Association; Marijuana Policy Project; Drug Policy Forum of Hawai'i, Inc.; and Noa Botanicals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic has severely impacted the ability of qualified patients to safely access medical cannabis dispensaries. Many qualified patients live with debilitating conditions that place them at acute risk of contracting COVID-19 and would benefit from the authorization of additional methods to receive medical cannabis and medical cannabis products that minimize physical contact and potential exposure to COVID-19. This measure addresses the health concerns of these vulnerable qualifying patients by authorizing the Department of Health to approve in-vehicle receipt of medical cannabis and medical cannabis products on the premises of dispensaries.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 440, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 440, 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. 321 Government Operations on S.B. No. 389**

The purpose and intent of this measure is to require all places of public accommodation and state building construction constructed after December 31, 2023, to provide universal changing accommodations that are equally accessible to men and women.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, Epilepsy Foundation of Hawaii, Hawaii Disability Rights Center, and eight individuals. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that families and caregivers of individuals with disabilities who require changing facilities have limited public options for safe and dignified accommodations. A fundamental goal of the Americans with Disabilities Act is to ensure people with disabilities have an equal opportunity to participate in basic civic activities and everyday affairs, such as going to a restaurant or movie theater. Universal changing stations are height adjustable and support up to three hundred pounds in weight. Your Committee further finds that incorporation of universal changing stations foster an environment of equity and inclusivity for the elderly and wheelchair-bound adults and adolescents.

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. 389 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, none. Excused, 1 (San Buenaventura).

**SCRep. 322 Government Operations on S.B. No. 1135**

The purpose and intent of this measure is to require cash or protest bonds to be returned to the initiating parties, minus administrative costs, except in cases where the appeal was frivolous or made in bad faith.

Your Committee received testimony in support of this measure from the General Contractors Association of Hawaii; Subcontractors Association of Hawaii; S & M Sakamoto, Inc.; Ralph S. Inouye Co, Ltd; Alan Shintani Inc.; and Damon Key Leong Kupchak Hastert.

Your Committee finds that the primary intent of the Hawaii Public Procurement Code is to provide fair and equitable treatment, foster broad-based competition, fiscal responsibility, and efficiency in the procurement process, and increase confidence in the integrity of the system. Further, your Committee finds that a party initiating a protest in an administrative proceeding is required to post a procurement protest bond that is forfeited upon losing appeal of a bid protest decision. Your Committee also finds that in the entire nation, only seven states impose a bond requirement to submit a bid protest or seek an appeal of a bid protest decision. Under existing laws, Hawaii is an outlier as the only state that imposes immediate forfeiture of the bond if a protestor loses the appeal. This measure puts Hawaii in line with the other bond protest states.

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. 1135 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 (San Buenaventura).

**SCRep. 323 Government Operations on S.B. No. 1138**

The purpose and intent of this measure is to:

- (1) Prohibit a procurement officer from disclosing a competing offeror's proposal or evaluation score during a debriefing requested by a non-selected offeror; and
- (2) Authorize the disclosure of a competing offeror's proposal or evaluation score after a protest is resolved and the contract is executed.

Your Committee received testimony in support of this measure from the State Procurement Office and Department of Transportation.

Your Committee finds that the primary objective in public procurement is to provide an equal opportunity to compete for government contracts and inhibit favoritism, collusion, or fraud in consideration for the award of a contract. Your Committee also finds that this measure accomplishes that objective by providing clarification and a clear understanding of when the release of an offeror's proposal or evaluation score would be appropriate, in the event of a request for government 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. 1138 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 (San Buenaventura).

**SCRep. 324 (Joint) Public Safety and Intergovernmental and Military Affairs and Water and Land on S.B. No. 193**

The purpose and intent of this measure is to add to the membership of the State Fire Council, and to the membership of advisory committees that the council may appoint, representatives from the Hawaii State Aircraft Rescue Fire Fighting Unit and the Division of Forestry and Wildlife of the Department of Land and Natural Resources to reflect all non-federal fire fighting agencies in the State.

Your Committees received testimony in support of this measure from the State Fire Council, Department of Land and Natural Resources, Honolulu Fire Department, and Maui Fire Department.

Your Committees find that in 1979, the Legislature abolished the State Fire Marshal's Office and created the State Fire Council with the goal of developing and maintaining a comprehensive fire service emergency management network for the protection of life, property, and the environment throughout the State. Your Committees also find that the Hawaii State Aircraft Rescue Fire Fighting Unit and the Division of Forestry and Wildlife of the Department of Land and Natural Resources communicate and collaborate with the county fire departments on a regular basis during emergency incidents and non-emergency administrative matters and provide specialty expertise and equipment in emergent and non-emergent environments that the county fire departments do not possess due to training, funding, or mission requirements. Your Committees believe that the Hawaii State Aircraft Rescue Fire Fighting Unit and the Division

of Forestry and Wildlife of the Department of Land and Natural Resources could provide unique perspectives to facilitate accomplishment of the State Fire Council's functions. This measure will provide the State Fire Council greater insight into Hawaii's fire risk and improvements relating to the protection of persons and property against fire by adding to the membership of the State Fire Council, and to the membership of advisory committees that the council may appoint, representatives from the Hawaii State Aircraft Rescue Fire Fighting Unit and the Division of Forestry and Wildlife of the Department of Land and Natural Resources to reflect all non-federal fire fighting agencies in the State.

As affirmed by the records of votes of the members of your Committees on Public Safety and 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. 193 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 and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 325 (Joint) Public Safety and Intergovernmental and Military Affairs and Water and Land on S.B. No. 298**

The purpose and intent of this measure is to:

- (1) Authorize the Hawaii Emergency Management Agency to:
  - (A) Acquire any real, personal, or mixed property for its immediate or future use;
  - (B) Own, hold, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or dispose of any real, personal, or mixed property acquired; and
  - (C) Acquire by condemnation real property for its immediate or future use; and
- (2) Amend the definition of "public lands" to exclude lands to which the Hawaii Emergency Management Agency holds title.

Your Committees received testimony in opposition to this measure from Hawaiian Electric Company, Inc. Your Committees received comments on this measure from the Hawaii Emergency Management Agency and Office of Hawaiian Affairs.

Your Committees find that the existing headquarters complex for the Hawaii Emergency Management Agency at Diamond Head dates back to World War I, which creates maintenance complications and upkeep challenges that impact the Hawaii Emergency Management Agency's ability to fulfill its mission. To address these issues, the Hawaii Emergency Management Agency continues to explore new locations for the State Emergency Operation Center to be situated out of the hurricane and tsunami inundation zone. Your Committees believe that the flexibility afforded by this measure could provide the Hawaii Emergency Management Agency useful tools to expedite the timeline for the development of a new facility. This measure will offer the Hawaii Emergency Management Agency more flexibility in the mechanisms it employs to protect the people and property of the State by authorizing the Hawaii Emergency Management Agency to own, hold, improve, and take a variety of other actions with respect to real, personal, and mixed property, for current or future use, and amending the definition of "public lands" to exclude lands to which the Hawaii Emergency Management Agency holds title.

As affirmed by the records of votes of the members of your Committees on Public Safety and 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. 298 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 and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 326 (Joint) Education and Housing on S.B. No. 1596**

The purpose and intent of this measure is to:

- (1) Establish a Maui Campus Housing Pilot Program, to be administered by the School Facilities Authority which shall make on-campus housing available to employees at Lahainaluna and Kulanihako'i High Schools on the Island of Maui;
- (2) Require the School Facilities Authority and Department of Education to submit joint reports to the Legislature; and
- (3) Appropriate funds to establish and administer the pilot program.

Your Committees received testimony in support of this measure from the Office of the Governor, School Facilities Authority, Hawaii State Teachers Association, 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 Department of the Attorney General.

Your Committees find that Hawaii continues to suffer from a shortage of licensed teachers, specialized staff, and administrators. Providing incentives such as affordable options for teacher housing is one mechanism to retain highly qualified school teachers and educators. Additionally, many school campuses, particularly those in rural areas and on the neighbor islands, offer the State an opportunity to provide on-campus housing for school employees. By utilizing existing state property and infrastructure, the State can expedite construction while also reducing costs. To address the State's chronic teacher shortage, this measure establishes a pilot program at Lahainaluna and Kulanihako'i High Schools for on-campus teacher housing.

As affirmed by the records of votes of the members of your Committees on Education and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1596 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, 4. Noes, none. Excused, 1 (Richards).  
Housing: Ayes, 5. Noes, none. Excused, none.

**SCRep. 327 (Joint/Majority) Government Operations and Water and Land on S.B. No. 1319**

The purpose and intent of this measure is to reinstate the Governor's authority to transfer funds to cope with the effects of natural disasters, for operating purposes, or to supplement the Department of Land and Natural Resources' Fire Fighter's Contingency Fund.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Emergency Management Agency, Department of Budget and Finance, and one individual.

Your Committees find that Act 88, Session Laws of Hawaii 2021, as amended by Act 248, Sessions Laws of Hawaii 2022, did not contain boiler plate provisions that are generally included in the General Appropriations Act that provide the Governor with the authority to transfer funds for operating purposes, natural disaster, or the Fire Fighter's Contingency Fund. Your Committees also find that flexibility dictates a necessity to continue to provide services that allow for a rapid response typified by the unpredictable occurrence of natural disasters, specifically wildfires.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on 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. 1319, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1319, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.  
Government Operations: Ayes, 4. Noes, 1 (Awa). Excused, none.  
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 328 (Joint/Majority) Government Operations and Transportation and Culture and the Arts on S.B. No. 968**

The purpose and intent of this measure is to:

- (1) Require the Department of Accounting and General Services to enable parking stall sharing among public employees, accommodate more electric vehicle charging stations, and provide bicycle storage lockers at facilities where parking is made available to public employees; and
- (2) Require new public housing developments' parking stalls to accommodate electric vehicle charging stations and bicycle storage lockers.

Your Committees received testimony in support of this measure from the Department of Transportation, Hawai'i Climate Change Mitigation and Adaptation Commission, Big Island Electric Vehicle Association, Hawaii Electric Vehicle Association, Hawaii Bicycling League, Climate Protectors Hawaii, Ulupono Initiative, and two individuals. Your Committees received comments on this measure from the Department of Accounting and General Services and Hawaii State Energy Office.

Your Committees find that numerous public employees commute to work by car and must pay for parking at their workplaces. However, public employees wishing to split the cost of sharing a single stall while carpooling in different cars on different days are currently prohibited by the Department of Accounting and General Services from doing so. Many people are also opting to drive electric vehicles, which are significantly less expensive to operate and maintain than gas vehicles, and many major manufacturers have already committed to cease the production and sale of gas-powered vehicles by 2030 and 2035, respectively. However, infrastructure for charging those vehicles in the public workplace does not exist.

Your Committees further find that public employees who bicycle to work have no secure bicycle storage. Employees have had bicycles stolen while locked in racks on the upper floors of the Kalanimoku building, State Capitol, and other public facilities. This limits the ability for employees to save, on average, nearly \$13,000 each year by commuting to work by bicycle rather than car.

Your Committees have amended this measure by:

- (1) Adding the Department of Transportation to collaborate with the Department of Accounting and General Services;
- (2) Inserting language to require the Department of Accounting and General Services and the Department of Transportation to develop, implement, administer, and manage the programs relative to this measure; and
- (3) Inserting an effective date of July 1, 2112, to encourage further discussion.

Your Committees have heard the concerns of the Department of Accounting and General Services that it would be cost prohibitive to implement this measure insofar as electric charging stations, for each new parking stall built requires extensive power system upgrades. Your Committees, therefore, respectfully ask the Committee on Ways and Means to request the Department of Accounting and General Services, as promised in their testimony, to provide a definitive cost estimate. Furthermore, your Committees find that it is not feasible to undertake this conversion project immediately because of ongoing construction projects and as such, has made this measure prospective to ensure that the current projects could be completed with the money that has been allocated.

As affirmed by the records of votes of the members of your Committees on Government Operations and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 968, as amended

herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 968, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

Transportation and Culture and the Arts: Ayes, 3; Ayes with Reservations (Inouye). Noes, 1 (Awa). Excused, 1 (Keohokalole).

**SCRep. 329 Government Operations on S.B. No. 1196**

The purpose and intent of this measure is to clarify that board and commission holdover members shall not hold office beyond the end of the second regular legislative session following the expiration of the member's term of office regardless of any conflicting statutes.

Your Committee did not receive any testimony on this measure.

Your Committee finds that existing law allows a member of a state board or commission to continue as a holdover member until a successor is nominated and appointed. It is imperative that members of boards and commissions are appropriately and timely nominated and appointed to enable boards and commissions to meet and conduct business. However, no holdover member should serve beyond the end of the second regular session following the member's term of office without the advice and consent of the Senate. Your Committee further finds that this measure would clarify the law regarding holdover members of boards and commissions.

Your Committee has amended this measure by inserting an effective date of July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1196, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1196, 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 (San Buenaventura).

**SCRep. 330 (Joint) Transportation and Culture and the Arts and Agriculture and Environment on S.B. No. 1006**

The purpose and intent of this measure is to appropriate funds to the Department of Transportation to engage climate change adaptation measures for the State's low-lying roads and highways.

Your Committees received testimony in support of this measure from the Hawai'i Climate Change Mitigation and Adaptation Commission, Department of Transportation, Environmental Caucus of the Democratic Party of Hawai'i, 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 Emergency Management Agency.

Your Committees find that the Department of Transportation estimates the cost of at least \$15 billion to protect the State's low-lying roads and highways susceptible to climate change-induced coastal erosion and flooding. While the Department of Transportation began assessments of dangers to the nine hundred seventy-one linear miles of affected state roads and highways, there is significant work ahead to ensure all roads are adequately protected. This measure appropriates funds to the Department of Transportation to address the impacts of climate change for the State's coastal roads and highways and ensures the Department of Transportation has the resources necessary to engage climate change adaptation.

Your Committees have 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 records of votes of the members of your Committees on Transportation and Culture and the Arts and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1006, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1006, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Inouye).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

**SCRep. 331 (Joint/Majority) Transportation and Culture and the Arts and Agriculture and Environment on S.B. No. 421**

The purpose and intent of this measure is to establish procedures for the Department of Transportation to assist and enable a person to voluntarily purchase a verified carbon offset for carbon dioxide emissions resulting from the person's air travel to or from an airport in the State.

Your Committees received testimony in support of this measure from the Department of Transportation and the Hawai'i Climate Change Mitigation and Adaptation Commission. Your Committees received testimony in opposition to this measure from the Energy and Climate Action Committee of the Environmental Caucus of the Democratic Party of Hawai'i, 350Hawaii.org, and four individuals. Your Committees received comments on this measure from Climate Protectors Hawaii.

Your Committees find that climate change is the most pressing issue of the current generation. Within the transportation sector, the air transportation component faces difficult technical challenges in reducing carbon dioxide emissions associated with air travel as air travel is essential to tourism and a key driver of the State's economy. While the Federal Aviation Administration implemented the carbon offsetting and reduction scheme for international aviation, this program does not apply to the State or continental United States. To achieve the State's clean energy goals, this measure authorizes the Department of Transportation to assist and enable individuals to purchase a verified carbon offset for carbon dioxide emissions resulting from air travel to or from the State.



Your Committees have amended this measure by clarifying that any revenue received by the State for carbon offsets shall be directed to the Department of Land and Natural Resources to be utilized for:

- (A) Tree planting; or
- (B) Other initiatives that proportionally increase carbon sequestration.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 421, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 421, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Inouye).

Agriculture and Environment: Ayes, 3; Ayes with Reservations (Gabbard, Richards). Noes, 2 (DeCoite, Awa). Excused, none.

**SCRep. 332 (Joint) Public Safety and Intergovernmental and Military Affairs and Labor and Technology on S.B. No. 1572**

The purpose and intent of this measure is to:

- (1) Create a separate bargaining unit (16) for City and County Honolulu Emergency Services Department employees; and
- (2) Recategorize City and County of Honolulu Emergency Services Department employees from bargaining unit (10) into bargaining unit (16).

Your Committees received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO and sixty-six individuals. Your Committees received testimony in opposition to this measure from the Office of Collective Bargaining. Your Committees received comments on this measure from the Department of Budget and Finance and Department of Human Resources of the City and County of Honolulu.

Your Committees find that City and County of Honolulu Emergency Services Department employees are burdened with high call volume, staffing shortages related to recruitment and retention, and work-related trauma. Your Committees believe that a separate bargaining unit for the City and County of Honolulu Emergency Services Department employees is critical for addressing the unique challenges they are currently faced with. This measure will help to address the problems these employees experience by creating a separate bargaining unit (16) for City and County of Honolulu Emergency Services Department employees and recategorizing City and County of Honolulu Emergency Services Department employees from bargaining unit (10) into bargaining unit (16).

Your Committees have heard the testimony of the Department of Budget and Finance and Department of Human Resources of the City and County of Honolulu expressing concerns regarding the increasing costs and complexities related to establishing, negotiating, arbitrating, and managing another bargaining unit and contract, particularly without added staff and resources. Your Committees find that this issue raises 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.

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 Public Safety and Intergovernmental and Military Affairs and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1572, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1572, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

Labor and Technology: Ayes, 5. Noes, none. Excused, none.

**SCRep. 333 Judiciary on S.B. No. 149**

The purpose and intent of this measure is to:

- (1) Establish a continuous Legislature;
- (2) Require the Legislature to convene at least once a month;
- (3) Remove language regarding special sessions, adjournment, and recesses;
- (4) Create a two-year deadline for a bill to be submitted for gubernatorial consideration;
- (5) Standardize the number of days that the Governor must approve or veto a bill submitted for consideration;
- (6) Require bills returned by the Governor to be heard by the Legislature within an unspecified number of days for the bill to be further amended; and
- (7) Require the passage of the legislative budget within an unspecified number of days before the end of each fiscal year.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawai'i State Ethics Commission and one individual.

Your Committee finds that given the fast pace of the legislative session, people who are not full-time employed in advocacy may have a difficult time learning the process. To have the process compressed and rushed into sixty session days may prohibit the public from participating and advocating at the Legislature. This measure may allow for more public participation and engagement.

Your Committee has amended this measure by:

- (1) Inserting legislative findings;
- (2) Specifying that the Legislature shall not be exempted from any statutory law that prescribes requirements relating to open meetings, notice of meetings, meeting agendas, meeting minutes, or discussions outside of meetings;
- (3) Specifying that the members of the Legislature shall not have any employment outside of the Legislature;
- (4) Specifying that the annual budget shall pass each house and be submitted for gubernatorial consideration forty-five days before the end of the preceding fiscal year;
- (5) Specifying that in case the Legislature fails to convene to act upon any bill returned with objections by the Governor within thirty days after the bill's return, the bill shall not become law;
- (6) Making conforming amendments;
- (7) Inserting an effective date of January 1, 3000, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the Salary Commission is to take into consideration the setting of salaries. Your Committee also notes that the State is much bigger than the last time the Hawaii State Constitution was amended and the population has since doubled, therefore a full-time legislative session is warranted.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 149, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 149, 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 (Elefante, San Buenaventura). Noes, none. Excused, none.

**SCRep. 334      Judiciary on S.B. No. 813**

The purpose and intent of this measure is to:

- (1) Require the Judiciary to increase the hourly fees, mileage reimbursement rate, and commuter-time compensation rate for court interpreters; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Judiciary, Office of Language Access, Office of the Prosecuting Attorney of the County of Hawai'i, Supreme Court Committee on Court Interpreters and Language Access Subcommittee on Interpreters Fees, Hawai'i Health & Harm Reduction Center, Hawai'i Friends of Civil Rights, Hawai'i Coalition for Immigration Rights, Hawai'i State Coalition Against Domestic Violence, The Legal Clinic, Hawai'i Workers Center, and eleven individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that court interpreters are independent contractors of the Judiciary, who play an integral role in the administration of justice in the State, which has one of the highest proportions of non-English speakers in the nation. Your Committee further finds that court interpreters are often required to drive to distant courthouses, sometimes for hours, to provide interpretation services that are critical for a defendant with limited-English proficiency in exercising their constitutional and statutory right to represent themselves in court or assist counsels in doing so. However, despite the substantial increase in the cost of living in Hawaii over the years, including the considerable increase in the price of automobiles and gasoline, the compensation for court interpreters has remained unchanged for the most part since it was established in 2007. An increase in the fees and rates for court interpreters is overdue. This measure will ensure that court interpreters are paid fairly for their work.

Your Committee notes that this measure contains an unspecified appropriation amount, and respectfully requests that your Committee on Ways and Means consider inserting an appropriation amount of \$250,000.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 813 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. 335      (Majority) Judiciary on S.B. No. 1074**

The purpose and intent of this measure is to:

- (1) Propose amendments to the Constitution of the State of Hawaii relating to the appointment and retention of justices and judges;
- (2) Authorize the Senate to approve or reject subsequent terms of office for supreme court justices;
- (3) Change the required time frames from thirty to ninety days for the process to appoint and consent to a justice or judge; and

- (4) Harmonize the senate consent procedures for district court judgeship nominees to mirror the senate consent procedures relating to supreme court justices, intermediate court of appeals, and circuit court judges.

Your Committee received testimony in opposition to this measure from the Judiciary, Office of the Public Defender, Judicial Selection Commission, Hawaii State Trial Judges Association, Hawaii State Bar Association, Community Alliance on Prisons, League of Women Voters of Hawaii, Hawai'i Friends of Civil Rights, Hawai'i Women Lawyers, Hawaii State Bar Association Litigation Section, Native Hawaiian Legal Corporation, Japanese American Citizens League, Hawaii Filipino Lawyers Association, Earthjustice, Hawaii State Committee of the American College of Trial Lawyers, and forty individuals. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the senate consent provisions of the Hawaii State Constitution relating to the appointment of district court judges are incongruous to those relating to supreme court justices and intermediate court of appeals and circuit court judges. In the case of supreme court justices and intermediate court of appeals and circuit court judges, if the Senate fails to reject an initial appointment to these courts within thirty days of receiving the appointment notice, the appointee is automatically considered appointed to the judicial position. For district court judgeship appointees, the exact opposite occurs. The appointee is automatically considered rejected if not consented to by the Senate within thirty days of receipt of the district court judgeship appointment. This measure will conform the district court judgeship consent procedures with the other judge's and justice's procedures.

Your Committee has amended this measure by:

- (1) Changing the required time frame for certain processes to appoint and consent to a justice's or judge's appointment from ninety days to forty-five days;
- (2) Restoring language that specifies that the Chief Justice shall appoint per diem district court judges;
- (3) Restoring language that specifies that at least six months prior to the expiration of the justice's or judge's term of office, every justice and judge shall petition the Judicial Selection Commission to be retained in office or shall inform the Commission of an intention to retire;
- (4) Deleting language that would have authorized the Senate to approve or reject retention of a supreme court justice;
- (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 S.B. No. 1074, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1074, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (San Buenaventura). Noes, 2 (Elefante, Awa). Excused, none.

**SCRep. 336      Judiciary on S.B. No. 1277**

The purpose and intent of this measure is to make appropriations to satisfy 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 and Department of Transportation.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure serves as a vehicle by which payments of claims against the State are authorized and funded by an appropriation of general funds or moneys from the state highway fund, and that timely passage of this measure will minimize the State's obligation to pay interest that accrues on the claim amounts.

Your Committee has amended this measure by:

- (1) Including, at the request of the Department of the Attorney General, one additional claim that has been resolved and two miscellaneous claims for the reissuance of outdated checks that were misplaced or lost and for which a claim has been filed with the Attorney General in compliance with section 37-77, Hawaii Revised Statutes; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1277, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1277, 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. 337      Labor and Technology on S.B. No. 1141**

The purpose and intent of this measure is to transfer workers' compensation for the Hawaii State Public Library System (State Public Library) and its employees from the Department of Education to the Department of Human Resources Development.

Your Committee received testimony in support of this measure from the Hawaii State Public Library System. Your Committee received comments on this measure from the Department of Human Resources Development.

Your Committee finds that Act 61, Session Laws of Hawaii 2012, clarified that when the Legislature enacted Act 51, Session Laws of Hawaii 2004, which, in part, transferred certain functions of executive branch agencies that pertained to education personnel to the

Department of Education, the Legislature had not intended to include the personnel of the State Public Library. According to testimony received by your Committee, although Department of Human Resources Development has been managing and administering the workers' compensation claims of the State Public Library employees since 2012 through memoranda of agreement, the Department of Human Resources Development has not received any additional staff or funding from Department of Education to address its increased responsibilities to the State Public Library and its employees.

Accordingly, your Committee has amended this measure by:

- (1) Inserting appropriations of unspecified amounts for the:
  - (A) Establishment of one full-time equivalent (1.0 FTE) position within the Department of Human Resources Development for the State Public Library and its employees; and
  - (B) Workers' compensation costs of the State Public Library and its employees;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1141, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1141, 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. 338 (Majority) Labor and Technology on S.B. No. 1315**

The purpose and intent of this measure is to exclude state and county retired employees hired after June 30, 2023, and their spouses from receiving Medicare income related monthly adjustment amounts as part of their Medicare Part B reimbursement payments.

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund and Department of Budget and Finance. 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 Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that many retired state employees contributed decades of years of service to the State in various roles. Presently, the State requires retirees and their dependents to enroll in Medicare Part B, if eligible; enroll in EUTF retiree medical or prescription drug plans; or both. To reduce significant costs to the State, this measure eliminates reimbursements of the Medicare Part B income related monthly adjustment amounts.

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 and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1315, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1315, 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. 339 Labor and Technology on S.B. No. 1384**

The purpose and intent of this measure is to:

- (1) Amend chapter 202, Hawaii Revised Statutes, to be consistent with the General Appropriations Act of 2021, Act 88, Session Laws of Hawaii 2021;
- (2) Rename the "Hawaii Workforce Development Council" as the "Hawaii Workforce Development Board", and the "county workforce development board" as the "local workforce development board";
- (3) Require the Hawaii Workforce Development Board (Board) and local workforce development boards to develop written conflict of interest policies consistent with federal laws and regulations;
- (4) Require the Governor to select the chairperson of the Board from among the private sector members; and
- (5) Repeal the requirement for the Department of Labor and Industrial Relations (DLIR) to submit an annual report to the Legislature on the activities of the K-12 Agriculture Workforce Development Pipeline Initiative.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations.

Your Committee finds that not only does this measure align current statutes with federal regulations and requirements, but it also repeals the requirement for DLIR to submit an annual report to the Legislature on the activities of the K-12 Agriculture Workforce Development Pipeline Initiative, as the Initiative has not received any funding since fiscal year 2016-2017. Your Committee notes that the General Appropriations Act of 2021 eliminated the program identification number (LBR-135) of the Hawaii Workforce Development Council and believes that the Hawaii Workforce Development Board should have its own program identification number or subprogram identification number.

Your Committee has amended this measure by:

- (1) Deleting duplicative language codifying certain federal regulations regarding conflicts of interest into state law;
- (2) Clarifying that the Board is administratively attached to DLIR;
- (3) Requiring the Board to assist the Governor in coordinating with local workforce development boards to maximize and continue to improve the quality of service to develop a comprehensive and high-quality workforce development system;
- (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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1384, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1384, 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. 340 Labor and Technology on S.B. No. 1478**

The purpose and intent of this measure is to:

- (1) Establish an offensive cybersecurity program within the Office of Enterprise Technology Services to analyze and evaluate cybersecurity threats and increase cybersecurity awareness and education;
- (2) Establish a goal for all state and county agencies to identify and address vulnerabilities having a benchmark score exceeding 3.9 on the Common Vulnerability Scoring System by January 1, 2025;
- (3) Authorize the Office of Enterprise Technology Services to enter into memoranda of understanding and mutual aid agreements with other governments; and
- (4) Appropriate funds and authorize the establishment of positions.

Your Committee received testimony in support of this measure from the Judiciary, Office of Enterprise Technology Services, and one individual. Your Committee received comments on this measure from Department of Human Services.

Your Committee finds that the State requires dedicated resources that specialize in cybersecurity to combat the growing state of cyber threats and the speed at which cyber criminals target government entities.

Your Committee has amended this measure by:

- (1) Adopting recommendations from the Office of Enterprise Technology Services that:
  - (A) Delete redundant language regarding the definitions of established industry terms, authority to enter memoranda of understanding and mutual aid agreements, and authority to adopt administrative rules;
  - (B) Establish the Offensive Cybersecurity Program and disclosure requirements for cybersecurity incidents in section 27-43.5, Hawaii Revised Statutes, relating to the duties of the chief information officer rather than in a new part; and
  - (C) Extend the timeline for the Office of Enterprise Technology to identify and address the vulnerabilities of the state and county information technology systems that have a benchmark score exceeding 3.9 on the Common Vulnerability Scoring System to January 1, 2026;
- (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.

Your Committee notes that the Senate Draft 1 of this measure contains unspecified appropriation amounts for software, services, and an unspecified number of positions to establish the Offensive Cybersecurity Program. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$500,000 dollars and the number of three positions.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1478, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1478, 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. 341 Labor and Technology on S.B. No. 1490**

The purpose and intent of this measure is to require the State to:

- (1) Defend professionally licensed or certified state employees from civil actions when the employee was acting within the scope of their employment and was not grossly negligent or wanton; and
- (2) File a motion to be heard with the court when the State refuses to defend a state or county employee from civil actions on certain grounds.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii Association for Justice; and Hawaii Workers Center. Your Committee received comments on this measure from the Department of the Attorney General and Department of Human Services.

Your Committee finds that although Act 44, Session Laws of Hawaii 2022 (Act 44), clarified the personal liability requirements for professionally licensed or certified employees of the State, it did not clarify the circumstances under which the State has a duty to defend its professionally licensed or certified employees.

Your Committee has amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

Your Committee finds that it remains unclear as to what protections the State can offer its professionally licensed or certified employees who were acting in the scope of their employment. Should your Committees on Judiciary and Ways and Means choose to deliberate on this measure, your Committee respectfully requests that they consider this issue.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1490, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1490, 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. 342 (Majority) Labor and Technology on S.B. No. 211**

The purpose and intent of this measure is to clarify that service and compensation awarded as part of an administrative, arbitral, or judicial proceeding are included in the calculation of retirement benefits and service time for the Employees' Retirement System.

Your Committee received testimony in support of this measure from the Department of Human Resources of the City and County of Honolulu; State of Hawaii Organization of Police Officers; Hawaii Fire Fighters' Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State Teachers Association; University of Hawaii Professional Assembly; United Public Workers; and one individual. Your Committee received comments on this measure from Employees' Retirement System.

Your Committee finds that this City and County of Honolulu Mayor's package measure was introduced in response to a December 17, 2021 memorandum, which indicated that judgment settlements and awards to public employees who have challenged a suspension or termination may not necessarily be eligible for Employees' Retirement System benefits in terms of including the employee's retroactive service as creditable service and back pay as compensation. Your Committee recognizes the complexity of the ERS and notes the concerns raised with this measure that it would have a negative impact on ERS' tax qualified status, potentially increase pension-spiking, create an administrative burden on the ERS, and increase ERS' unfunded liabilities.

Accordingly, your Committee has amended this measure by:

- (1) Updating legislative findings;
- (2) Amending language as provided by the Employees Retirement System to provide specific guidance for the clear and determinable award or awards of retroactive reinstatement, retroactive rescission of suspension, retroactive pay differential, and backpay that are restored to an employee as part of an administrative, arbitral, or judicial proceeding;
- (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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 211, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 211, 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. 343 (Majority) Labor and Technology on S.B. No. 270**

The purpose and intent of this measure is to implement a phased elimination of the tip credit by January 1, 2029.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; Stonewall Caucus of the Democratic Party of Hawai'i; Labor Caucus of the Democratic Party of Hawai'i; Education Caucus of the Democratic Party of Hawai'i; Hawaii Iron Workers Stabilization Fund; Hawaii State AFL-CIO; International Longshore & Warehouse Union Local 142; International Alliance of Theatrical Stage Employees Local 665; Hawaii Teamsters & Allied Workers Local 996; University of Hawaii Professional Assembly; Imua Alliance; Hawaii Stevedores, Inc.; Pride at Work - Hawai'i Chapter; Hawai'i Workers Center; Hawaii Appleseed Center for Law and Economic Justice; Unite Here Local 5; Save Medicaid Hawaii; Living Wage Hawaii; and one hundred five individuals. Your Committee received testimony in opposition to this measure from Island Business Management Hawaii, LLC; Hawai'i Restaurant Association; Chamber of Commerce Hawaii; Highway Inn, Inc.; Gyotaku Japanese Restaurants; Magics Beach Grill; and three individuals.

Your Committee finds that the tip credit authorized by section 387-2, Hawaii Revised Statutes, allows employers to pay certain employees at a rate below the state minimum wage by calculating tips as a portion of the employee's wages. In light of the discussion regarding the benefits, costs, and proper application of the tip credit, your Committee looks to balance the interests of both small businesses and employees working in the State. According to oral testimony from the Department of Labor and Industrial Relations, since the enactment of Act 114, Session Laws of Hawaii 2022, which, in part, incrementally increases the state minimum wage and the state tip credit beginning October 1, 2022, the Department has not received any complaints that report a violation of the tip credit law. However, your Committee recognizes that employees who are earning less than minimum wage are not likely to report the wage and

hour law violation for fear of employer retaliation. Your Committee further finds that more time is needed for the Department of Labor and Industrial Relations to assess the effects of Act 114, Session Laws of Hawaii 2022, on the labor market before amendments may be made to the existing tip credit law.

Your Committee has amended this measure by:

- (1) Deleting language that would have implemented a phased elimination of the tip credit by January 1, 2029, and inserting language that:
  - (A) Requires the Department of Labor and Industrial Relations to submit an annual report to the Legislature on the enforcement of the wage and hour law in the State;
  - (B) Requires the Director of Labor and Industrial Relations to establish:
    - (i) Investigation standards that protect the identity of an employee who files a complaint with the Wage Standards Division to report any wage and hour violations by their employer; and
    - (ii) An education program for employees and employers on federal and state wage and hour law, including tip credit and prohibitions against employer retaliation;
- (2) Amending section 1 to reflect its amended purpose;
- (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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 270, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 270, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (Ihara). Noes, 1 (Fevella). Excused, 1 (Keith-Agaran).

**SCRep. 344 Labor and Technology on S.B. No. 478**

The purpose and intent of this measure is to:

- (1) Repeal chapter 440J, Hawaii Revised Statutes (HRS), relating to telecommunications and cable industry information reporting requirements for broadband service providers; and
- (2) Amend the definitions of “broadband infrastructure” and “broadband provider” under Chapter 206R, HRS, relating to the Broadband Infrastructure Grant Program.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, CTIA, Hawaiian Telcom, and Charter Communications. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that this housekeeping measure eliminates an outdated federal reporting requirement that is no longer useful in determining broadband service ability in the State. Your Committee recognizes that, not only does the Federal Communications Commission no longer require reporting of broadband service availability by census block, it now requires reporting broadband service availability by locations based on addresses and geographic coordinates and makes this data publicly available. According to testimony received by your Committee, state telecommunications policies that align with the existing federal wireless regulatory regime create efficiency and removes barriers to deployment.

Your Committee has amended this measure by:

- (1) Requiring the Department of Commerce and Consumer Affairs to make available for public inspection all broadband coverage reports that providers have previously filed pursuant to chapter 440J, HRS; 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 478, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 478, 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; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 345 Labor and Technology on S.B. No. 801**

The purpose and intent of this measure is to:

- (1) Establish a qualified internship income tax credit for employers of qualified interns for taxable years beginning after December 31, 2023;
- (2) Require a report to the Legislature; and
- (3) Appropriate an unspecified amount of funds.

Your Committee received testimony in support of this measure from the Department of Education; Department of Labor and Industrial Relations; Chamber of Commerce Hawaii; HawaiiKidsCAN; FCH Enterprises, Inc.; Kapolei Chamber of Commerce; Hawai'i Gas; and one individual. Your Committee received comments on this measure from the Department of Taxation, University of Hawai'i System; and Tax Foundation of Hawaii.

Your Committee finds that many employers, especially small to medium-sized companies, may encounter difficulties in hiring and retaining student interns without assistance from the State to offer work-based learning opportunities and increase capacity to host student interns. According to testimony received by your Committee, equitable access to work-based learning opportunities provides all students with the means to obtain the experience and develop the skills necessary to succeed in the workforce.

Your Committee has amended this measure by:

- (1) Replacing the term "privilege period" with "taxable year";
- (2) Requiring the taxpayer to submit an application for initial approval for the tax credit and a certificate of claim to the Department of Labor and Industrial Relations;
- (3) Amending language to require both the Department of Taxation and the Department of Labor and Industrial Relations to submit a report to the Legislature regarding the qualified internship tax credit;
- (4) Extending the deadline for the reports to January 1, 2025;
- (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.

Your Committee urges the Department of Labor and Industrial Relations to work with the Department of Education and University of Hawai'i System to examine how the State can effectively encourage small businesses to take advantage of a qualified internship income tax credit.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 801, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 801, 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. 346 Labor and Technology on S.B. No. 812**

The purpose and intent of this measure is to:

- (1) Establish an Immigrant Services and Access Unit (Unit) within the Office of Community Services; and
- (2) Appropriate an unspecified amount of funds for certain positions in the Unit.

Your Committee received testimony in support of this measure from the Office of Community Services; Hawaii Friends of Civil Rights; The Filipino Community Center, Inc.; Hawai'i Coalition for Immigrant Rights; Hawaii Workers Center; The Legal Clinic; and three individuals. Your Committee received comments on this measure from the Office of Language Access and Department of Human Services.

Your Committee finds that H.C.R. No. 169, Session of 2021, requested the Department of Labor and Industrial Relations to convene a working group to improve access to government services for immigrants and increase immigrant opportunities to make civic and economic contributions to the community. According to testimony received from your Committee, although nearly one in five residents of the State are born abroad, only Hawaii County and Maui County have Offices of Immigrant Services, both of which are under-resourced and understaffed. Your Committee recognizes that although the State has one of the highest ratios of foreign-born individuals per capita in the country, unlike other states with high immigrant populations, there is no statewide agency to provide immigrant and refugee services. Your Committee notes that the Office of Community Services is not a direct services agency, but instead provides oversight to the nonprofit organizations that it contracts with to provide services to program beneficiaries.

Your Committee has amended this measure by:

- (1) Incorporating the recommendations from Hawaii Friends of Civil Rights, by:
  - (A) Making the duties of the Unit discretionary;
  - (B) Broadening the services offered by the Unit;
  - (C) Adding an additional function for the Unit to oversee and monitor the Immigrant Resource Center Program; and
  - (D) Amending language to give the Unit authority and flexibility to identify and provide various appropriate and comprehensive services for program beneficiaries;
- (2) Changing the number of positions requested for the Unit to an unspecified number;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion;
- (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 and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 812, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 812, 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. 347 Labor and Technology on S.B. No. 1057**

The purpose and intent of this measure is to require job listings to include an hourly rate or salary range.

Your Committee received testimony in support of this measure from Women's Caucus of the Democratic Party of Hawai'i; Hawaii Appleseed Center for Law & Economic Justice; Fujiwara & Rosenbaum, LLLC; American Association of University Women; and ten individuals. Your Committee received testimony in opposition to this measure from Society for Human Resource Management. Your Committee received comments on this measure from Hawai'i Civil Rights Commission.

Your Committee finds that, for many job seekers who find an employment listing tailored to their experience and credentials, there is a lack of transparency regarding compensation. In particular, women and people of color have faced bias, which emerges in discriminatory pay and hiring practices by individual employers and a market that devalues jobs predominantly held by women. Secrecy around compensation perpetuates the continued discrimination against all workers, creating depressed wages that widen the pay gap for women and people of color. To implement pay transparency for Hawaii's workforce, this measure requires job listings to include an hourly rate or salary range.

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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1057, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1057, 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. 348 Water and Land on S.B. No. 1377**

The purpose and intent of this measure is to revise chapter 342D, Hawaii Revised Statutes, to:

- (1) Add wetlands to the definition of "state waters";
- (2) Clarify the Director of Health's role as a certifying agency including enforcement of water quality certifications; and
- (3) Increase certain statutory civil penalties.

Your Committee received testimony in support of this measure from the Department of Health and Hawai'i Reef and Ocean Coalition.

Your Committee finds that the Department of Health has been authorized by the United States Environmental Protection Agency to administer the National Pollution Discharge Elimination System Program and the section 401 Water Quality Certification Program of the federal Clean Water Act. Your Committee further finds that this authority has been incorporated into chapter 342D, Hawaii Revised Statutes (HRS). Your Committee finds that to effectively administer these programs, the definitions and penalties in chapter 342D, HRS, must be consistent with the regulations of the Clean Water Act. Therefore, this measure revises chapter 342D, HRS, to add wetlands to the definition of "state waters", clarifies the Director of Health's role as a certifying agency and enforcer of water quality certifications, and increases certain statutory civil penalties.

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. 1377, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1377, 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. 349 Water and Land on S.B. No. 1264**

The purpose and intent of this measure is to authorize the Department of Land and Natural Resources to establish limited entry commercial fisheries where appropriate or necessary to ensure certain commercial fisheries throughout the State remain healthy and sustainable while balancing the important economic role of commercial fisheries in the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Fishermen's Alliance for Conservation and Tradition, Inc.; and eight individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that certain commercially harvested fishery resources have become depleted and can no longer sustain unlimited commercial harvest. Limited commercial entry is a management method in which an agency or governing body limits the number of participants or vessels participating in a certain fishery as a means of reducing commercial fishing pressure on a particular fish species or group of fish species while still allowing some commercial take. Therefore, this measure authorizes the Department of Land and Natural Resources to establish limited entry commercial fisheries where appropriate or necessary to ensure certain commercial fisheries throughout the State remain healthy and sustainable while balancing the important economic role of commercial fisheries 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 Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1264, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1264, 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. 350 Water and Land on S.B. No. 1386**

The purpose and intent of this measure is to clarify the conditions, manner, and areas in which the Commission on Water Resource Management of the Department of Land and Natural Resources can declare water shortages and emergencies.

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 Honolulu Board of Water Supply.

Your Committee finds that existing state law does not contemplate the existence of a water shortage or emergency due to an immediate degradation of water quality. As the Red Hill crisis has revealed, such shortages and emergencies can happen in an instant. Your Committee finds that the Commission on Water Resource Management reviewed the law and supports the amendments in this measure to implement water shortage and emergency declarations to be able to react to crises in a swift and comprehensive manner. Therefore, this measure clarifies the conditions, manner, and areas in which the Commission on Water Resource Management of the Department of Land and Natural Resources can declare water shortages and emergencies.

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. 1386, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1386, 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. 351 Ways and Means on S.B. No. 70**

The purpose and intent of this measure is to require the Department of Land and Natural Resources to obtain accreditation for the Department's 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 and two individuals.

Your Committee finds that this measure will restore the accreditation requirement that was in effect prior to the enactment of Act 183, Session Laws of Hawaii 2021 (Act 183). More specifically, Act 183 inadvertently repealed the entirety of section 134-16, Hawaii Revised Statutes, including the requirement that the conservation and resources enforcement program meet the law enforcement accreditation or recognition standards of the Commission on Accreditation for Law Enforcement Agencies, Inc., in the use of electric guns. Your Committee also finds that the program-wide accreditation required by this measure will ensure that the program more broadly meets current law enforcement standards.

Your Committee notes the request of the Department of Land and Natural Resources to change the deadline for obtaining accreditation from June 30, 2025, to June 30, 2029. Your Committee respectfully requests that this amendment be considered as the measure moves forward in 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. 70, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Keith-Agaran, Moriwaki).

**SCRep. 352 Ways and Means on S.B. No. 221**

The purpose and intent of this measure is to appropriate moneys as a grant-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for the victim witness assistance program, known as the Victim Witness Kokua Services Unit.

Your Committee received written comments in support of this measure from the Department of the Attorney General, Office of the Prosecuting Attorney of the County of Hawaii, and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that the Victim Witness Kokua Services Unit assists in guiding victims, witnesses, and surviving family members through the criminal justice system before, during, and after the prosecution of criminal cases. Your Committee believes that this measure will help provide funding that is necessary to ensure the continuance of these vital services.

Your Committee notes that the Department of the Prosecuting Attorney of the City and County of Honolulu has requested \$736,785 for fiscal year 2023-2024 for the Victim Witness Kokua Services Unit.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 221, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Aquino, Kim, Wakai).

**SCRep. 353 Ways and Means on S.B. No. 222**

The purpose and intent of this measure is to appropriate moneys as a grant-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for the career criminal prosecution unit.

Your Committee received written comments 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 Office of the Prosecuting Attorney of the County of Hawaii.

Your Committee finds that a disproportionate number of serious crimes are committed by multiple- and repeat-felony offenders, known colloquially as career criminals. Your Committee believes that the provision of funding for the Department of the Prosecuting Attorney of the City and County of Honolulu's career criminal prosecution unit is necessary to ensure the efficient and effective prosecution of these career criminals.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 222, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Kim, Wakai).

**SCRep. 354 Ways and Means on S.B. No. 1302**

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2023-2025 for collective bargaining cost items for the members of collective bargaining unit (5) and their excluded counterparts.

Your Committee received written comments in support of this measure from the Department of Budget and Finance and Hawaii State Teachers Association.

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 before the end of the current legislative session.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1302, 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, 2 (Kim, Wakai).

**SCRep. 355 Ways and Means on S.B. No. 1313**

The purpose and intent of this measure is to authorize the board of trustees of the Hawaii Employer-union health benefits trust fund to establish the salaries of the trust fund's administrator and chief investment officer.

Your Committee received written comments in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee finds that authorizing the board of trustees of the Hawaii employer-union health benefits trust fund to establish appropriate salaries for upper-management personnel will allow the board to recruit and retain the most qualified individuals to administer the daily activities of the trust 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. 1313, 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, 2 (Kim, Wakai).

**SCRep. 356 Ways and Means on S.B. No. 75**

The purpose and intent of this measure is to appropriate moneys to the Department of Land and Natural Resources for the development of a comprehensive inventory of historic properties and burial sites located in the State.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Historic Hawaii Foundation, International Archaeological Research Institute, Koolau Foundation, Niu Valley Community Association, Society for Hawaiian Archaeology, and three individuals.

Your Committee finds that by providing for a comprehensive inventory of historic properties and burial sites, this measure will help the State Historic Preservation Division to more effectively manage and protect the State's cultural and heritage resources.

Your Committee notes that the Department of Land and Natural Resources suggested in its written comments in support of this measure that \$750,000 per year for each allocation category may be appropriate to initiate the first phase of the multi-year effort to complete the statewide survey required by this measure.

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. 75, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 75, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 357 Ways and Means on S.B. No. 397**

The purpose and intent of this measure is to appropriate moneys to increase Medicaid payments to eligible health care professionals by up to one hundred percent of the current Medicare rates.

Your Committee received written comments in support of this measure from the University of Hawaii, Department of Human Services, Kaiser Permanente, Hawaii Pacific Health, AARP Hawaii, Healthcare Association of Hawaii, Hawaii State Center for Nursing, Hawaii Dental Service, American Physical Therapy Association of Hawaii, Big Island Docs, Hawaii Association of Health Plans, Hawaii Care Choices, Hawaii Medical Service Association, AlohaCare, Dr. Smith Family Medicine, The Queen's Health System, Hawaii Medical Association, Hilo Medical Center, and seven individuals.

Your Committee finds that providing Medicaid payments at one hundred percent of the Medicare rate will help the State recruit and retain health care providers, improve patients' access to care, and offer valuable training opportunities for medical students and residents.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$30,000,000 to an unspecified sum; 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. 397, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 397, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Kim, Wakai).

**SCRep. 358 Ways and Means on S.B. No. 730**

The purpose and intent of this measure is to support the restocking and restoration of Hawaiian fishponds.

Specifically, this measure appropriates moneys to the Department of Land and Natural Resources to:

- (1) Provide fingerlings and limu for the restoration and restocking of fishponds; and
- (2) Establish one full-time equivalent (1.0 FTE) aquaculture coordinator biologist VI position.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Kua'aina Ulu 'Auamo, Ko'olau Foundation, Food+ Policy Internship, Hawai'i Alliance for Progressive Action, and four individuals.

Your Committee finds that loko ia, or Hawaiian fishponds, can increase local food production, improve food security, perpetuate local and traditional practices, capture sediment that would otherwise enter the ocean and harm reefs, and provide employment opportunities to Hawaii residents. Your Committee further finds that production of fingerlings can be an important tool to manage fisheries, while also alleviating pressure on nearshore fish stocks.

Your Committee has amended this measure by:

- (1) Clarifying the purpose of the appropriation; 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. 730, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 730, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 359 (Majority) Ways and Means on S.B. No. 1314**

The purpose and intent of this measure is to exclude spouses of Hawaii Employer-Union Health Benefits Trust Fund employee-beneficiaries who are hired after June 30, 2023, from receiving Medicare Part B reimbursement payments, unless the spouse qualifies as an employee-beneficiary.

Your Committee received written comments in support of this measure from the Department of Budget and Finance.

Your Committee received written comments in opposition to this measure from the State of Hawaii Organization of Police Officers.

Your Committee finds that the change in benefits implemented by this measure will reduce the State's other post-employment benefits costs by an estimated \$1,200,000,000 over the next thirty years, providing additional flexibility in the State's budget to accelerate pre-funding of other post-employment benefits, allocate funds for other priorities, and prepare for any future economic downturn.

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. 1314, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1314, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Fevella). Excused, 2 (Kim, Wakai).

**SCRep. 360      Ways and Means on S.B. No. 1472**

The purpose and intent of this measure is to provide support for contracted behavioral health services that are overseen by the Behavioral Health Administration of the Department of Health.

More specifically, the measure appropriates funds to expand and enhance a variety of services provided by contracted service providers through the Hawaii Coordinated Access Resource Entry System (CARES) crisis helpline, including:

- (1) Suicide crisis hotline and crisis management services;
- (2) Crisis mobile outreach services;
- (3) Licensed crisis residential shelter services; and
- (4) Bed stabilization services.

Your Committee received written comments in support of this measure from the Hawaii Medical Association and one individual.

Your Committee received written comments on this measure from the Department of Health.

Your Committee recognizes the need to support the critical services provided through the Hawaii CARES crisis helpline and provide resources to accommodate the increased volume of calls to the helpline. Your Committee finds that this measure will provide the financial resources needed to improve or establish critical technology and infrastructure, retain necessary personnel, and expand and enhance existing services provided by contracted service providers through the CARES crisis helpline.

Your Committee notes that the Department of Health has requested in its written comments on this measure that certain unspecified appropriation amounts be replaced with the following specified amounts:

- (1) \$3,202,000 in Section 2 of the measure for the suicide crisis hotline and crisis management services; and
- (2) \$8,205,200 in Section 5 of the measure for bed stabilization services.

Your Committee respectfully requests that the Department's request be considered as the measure moves forward in the legislative process.

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. 1472, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1472, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Kim, Wakai).

**SCRep. 361      Water and Land on S.B. No. 1254**

The purpose and intent of this measure is to designate the Kaiwi Coast Scenic Shoreline and adjacent lands as the Kaiwi Coast State Park and establish positions within the Department of Land and Natural Resources to support proper land and parks management along the Kaiwi coast.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Livable Hawaii Kai Hui, Ka Iwi Coalition, Sierra Club of Hawai'i, Surfrider Foundation Hawaii Region, Friends of Hanauma Bay, Hawaii Reef and Ocean Coalition, Hawaii Bicycling League, Sustainable Coastlines Hawaii, and five individuals.

Your Committee finds that the lands of the Kaiwi coast are an invaluable natural asset for the people of Hawaii. However, your Committee finds that a growing interest in this area has brought a rapid increase in visitors, which has led to increased traffic and accidents and also the gradual deterioration of the environment and surrounding areas. Your Committee finds that collaboration between community organizations and government agencies is necessary to ensure safety, manage human impacts, prevent invasive species, and restore the local ecosystem along the Kaiwi coast. Therefore, this measure designates the Kaiwi Coast Scenic Shoreline and adjacent lands as the Kaiwi Coast State Park and establishes positions within the Department of Land and Natural Resources to support proper land and parks management at the Kaiwi coast.

Your Committee has amended this measure by:

- (1) Revising “Kaiwi coast master plans” to “Kaiwi state scenic shoreline master plans” for clarity;
- (2) Requiring staff of the Department of Transportation to be included as part of the planning and design process of the Kaiwi Coast State Park and Maunaloa-Makapuu Scenic Byway improvement projects;
- (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. 1254, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1254, 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. 362 Water and Land on S.B. No. 1258**

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to develop and implement a management system for Kaena Point State Park and the Makua and Keawaula regions; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, Protectors of Paradise, Iron Workers Stabilization Fund, Makaha Hawaiian Civic Club, Hawaii Reef and Ocean Coalition, and six 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 Kaena Point State Park and the Makua and Keawaula regions are significant for their beauty, cultural and historical significance, and exceptional value to the Hawaiian community. However, your Committee further finds that in 2016, due to years of overuse and abuse from illegal driving on the beach, unmanaged camping, harmful fishing and gathering practices, and other recreational uses that resulted in hazardous accumulations of rubbish and human waste, areas of Kaena Point State Park and the Makua and Keawaula regions were closed to overnight access. The intent was to reopen with a proper management system in place that encompasses Hawaiian management values, balancing public use with the preservation of the aina, wildlife, and cultural resources. However, your Committee finds that a proper management system has yet to be implemented.

Your Committee finds that a proper management system for these areas is long overdue and that the implementation of a system to improve public safety and environmental protection is necessary. Therefore, this measure requires the Department of Land and Natural Resources to develop and implement a management system for Kaena Point State Park and the Makua and Keawaula regions.

Your Committee has heard the testimony of the Department of Land and Natural Resources, stating that while the Department agrees that Makua and Keawaula need updated community-based management planning and implementation, the Department is concerned this measure singles out Makua and Keawaula as a “top priority”, and requests that the language in this measure describing Makua and Keawaula as such be deleted. The Department also testified that appropriations will not be necessary in carrying out the intent of this measure.

Your Committee has amended this measure by:

- (1) Deleting the language that singles out Makua and Keawaula as a “top priority”;
- (2) Deleting the appropriation section;
- (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. 1258, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1258, 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. 363 Water and Land on S.B. No. 1475**

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to create a strategic plan for maintenance dredging of important port and harbor locations and report the plan to the Legislature; and
- (2) Require the Department of Land and Natural Resources to complete a minimum of two projects identified in the strategic plan.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that maintenance dredging is critical to the maintenance of small boat harbors, channels, ramps, and other port infrastructure in the State. However, under the current system, the necessary funding and permitting for maintenance dredging are not secured until the need for dredging becomes critical. Your Committee finds that this disorganized process can exacerbate the poor conditions at small boat harbors, allowing marine sediment and foreign debris to accumulate to shallow depths that can damage the

hulls of ships or cause a shutdown of the affected sites, which are important for recreation and subsistence fishing and use by the general public.

Your Committee finds that creating a strategic plan for maintenance dredging of small boat harbors, channels, ramps, and other port infrastructure in the State will spread resources based on actual need and allow ample time for permitting and public input before port infrastructure reaches a critical need. Therefore, this measure requires the Department of Land and Natural Resources to create a strategic plan for maintenance dredging of important port and harbor locations, report the plan to the Legislature, and require the Department of Land and Natural Resources to complete a minimum of two projects identified in the strategic plan.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount for maintenance dredging; 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. 1475, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1475, 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. 364 Water and Land on S.B. No. 1459**

The purpose and intent of this measure is to establish a task force to examine the consequences of drinking water contamination detected at the Waipahu Wells II Granular Activated Carbon Treatment Facility.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Honolulu Board of Water Supply, Environmental Caucus of the Democratic Party of Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that the Waipahu-Ewa-Waianae water system serves approximately 217,500 individuals and is located on the leeward side of Oahu. Your Committee further finds that perfluorohexanoic acid, part of the group of chemicals known as forever chemicals, was detected in water samples collected at the Waipahu Wells II Granular Activated Carbon Treatment Facility. While the levels found at these wells are significantly below the action level based on current information, your Committee finds that further investigation is necessary for public health and safety. Therefore, this measure establishes a task force to examine the consequences of drinking water contamination detected at the Waipahu Wells II Granular Activated Carbon Treatment Facility.

Your Committee has amended this measure by:

- (1) Replacing as chair of the task force the Chairperson of the Commission on Water Resource Management, or the Chairperson's designee, with the member from the Department of Health selected by the Director of Health;
- (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. 1459, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1459, 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. 365 Government Operations on S.B. No. 297**

The purpose and intent of this measure is to require organizations to obtain legislative approval prior to the disposition of land that was acquired with state grants.

Your Committee received testimony in support of this measure from the Office of Community Services.

Your Committee finds that implementation and clarification of statutory requirements for the disposition of land that was acquired with state grant funding will ensure alignment with legislative priorities, accountability of grant recipients, and value of grant funds spent by the State.

Accordingly, Your Committee has heard the concerns of the Office of Community Services that this measure, as drafted, does not consider existing encumbrances on real property made pursuant to the current version of section 42F-103(d), Hawaii Revised Statutes. Amendments to this measure are therefore necessary to incorporate compliance to this measure.

Your Committee has amended this measure by:

- (1) Inserting statutory language making the amendments made by this measure effective July 1, 2024; and
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 297, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 297, 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 (Wakai).

**SCRep. 366 Government Operations on S.B. No. 349**

The purpose and intent of this measure is to specify that the nominated members of certain boards and commission are not subject to the Senate's advice and consent process.

Your Committee did not receive any testimony on this measure.

Your Committee finds that governmental advisory boards provide up-to-date information, critical thinking, and analysis to the decision-makers who represent the government entity that the board is advising, and that the advisory board does not make decisions. Your Committee further finds that the Governor is charged with nominating qualified individuals to state advisory board and commission positions, and not all advisory board commission nominees need to be subject to the advice and consent process of the Senate.

Your Committee also finds that to simply nullify all advice and consent of the Senate would remove an important component of oversight for the boards and commissions named in this measure. However, your Committee finds that requiring the entire Senate to repeatedly convene to provide advice and consent of these named boards and commissions places a burden on the body, and as such by limiting the advice and consent function to the Senate Standing Committee on Government Operations, the Senate can retain advice and consent function over these boards while not unduly burdening this body.

Your Committee has amended this measure by:

- (1) Allocating the advice and consent function specifically to the Senate Standing Committee on Government Operations;
- (2) Inserting an effective date of July 1, 2112, 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 349, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 349, 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. 367 Government Operations on S.B. No. 415**

The purpose and intent of this measure is to make general contractors entering into or under contracts in the State for work on buildings, structures, or other private works liable for debt incurred by subcontractors for wages due to claimants for performance of labor in the contract between the general contractor and owner.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaii Regional Council of Carpenters, Pacific Resource Partnership, and Hawaii Laborers-Employers Corporation and Education Trust. Your Committee received testimony in opposition to this measure from the Associated Builders and Contractors Hawaii Chapter and one individual. Your Committee received comments on this measure from the General Contractors Association of Hawaii and Subcontractors Association of Hawaii.

Your Committee finds that the general contractor is the primary responsible party in a construction project. Often unscrupulous contractors do not exercise due diligence and support or ignore the unfair labor practices of the subcontractors they hire to complete projects who fail to pay wages owed to their employees. Your Committee appreciates that keeping abreast of multiple projects and subcontractors can be cumbersome; however, your Committee believes this measure will provide adequate protections for vigilant general contractors and address complicated marketplace abuses that occur in the construction industry.

Your Committee has amended this measure by:

- (1) Clarifying that a general contractor's liability for unpaid wages does not extend to consequential damages;
- (2) Clarifying that a court may award reasonable attorney's fees and costs to a prevailing party in an action for unpaid wages;
- (3) Limiting the attorney's fees and costs that may be awarded against a general contractor to unpaid wages of its direct employees;
- (4) Changing the requirement for initiation of an action against a general contractor to be one year from the actual performance of the labor, rather than the completion of the work, but no later than forty-five days after the date of completion as defined in section 507-43, Hawaii Revised Statutes;
- (5) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (6) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committee has memorialized the agreement reached between the stakeholders with the Senate Draft of this measure; however, your Committee requests that your Committee on Consumer Protection further examine the concerns that have been raised by the subcontractors should it choose to deliberate on this measure.

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. 415, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 415, 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 (San Buenaventura).

**SCRep. 368 Government Operations on S.B. No. 720**

The purpose and intent of this measure is to:

- (1) Add an exception to mandatory disclosure of government records for deliberative and pre-decisional government inter-agency or intra-agency records concerning an agency decision about a government action;
- (2) Require agencies to report their use of the exception to the Officer of Information Practices from July 1, 2023, through June 30, 2027; and
- (3) Require the Office of Information Practices to convene a working group to examine agency use of the exception and report to the Legislature prior to the Regular Session of 2029.

Your Committee received testimony in support of this measure from the Office of Information Practices; Department of Budget and Finance; University of Hawai'i System; Honolulu Board of Water Supply; University of Hawaii Professional Assembly; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. 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, Employees' Retirement System, League of Women Voters of Hawaii, and Grassroot Institute of Hawaii.

Your Committee finds that although public participation is not required in all government decisions, timely disclosure of relevant deliberative government records relative to the decision is necessary for meaningful participation, unless an exception applies. Your Committee further finds that there is a delicate balance forged between and amongst experienced practitioners representing media, government, the Office of Information Practices, and the public interest necessary to effectuate sound and considered decisions. Finally, your Committee finds that S.C.R. No. 192, Regular Session of 2022, required a working group to develop recommendations for statutory exceptions to the Uniform Information Practice Act to address the need for deliberative and pre-decisional agency processes and records in decision-making.

Your Committee has amended this measure by:

- (1) Reducing the limit for presumption of an abandoned matter by from three years to two years;
- (2) Deleting section 5 which would have required the Office of Information Practices to convene a working group by January 1, 2028, and report to the Legislature before the Regular Session of 2029;
- (3) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

Your Committee finds it interesting that a member of the working group signed the report and did not elect to submit testimony outlining concerns or opposition to this measure, but the member has issued media reports expressly disparaging the working group product and this measure. Your Committee hopes that should your Committee on Judiciary choose to hear this measure, the member of the working group will choose to submit testimony on the measure expressing their opposition or concerns.

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. 720, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 720, 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 (Wakai).

**SCRep. 369 Government Operations on S.B. No. 811**

The purpose and intent of this measure is to require state agencies to disaggregate data consistent with federal standards and require publication of the data.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, University of Hawai'i System, Hawai'i Coalition for Immigrant Rights, Hawai'i Workers Center, Hawai'i Friends of Civil Rights, and five individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Education, and one individual.

Your Committee finds that Asian Americans, Native Hawaiians, and other Pacific Islanders represent 46.5 per cent of the State's population. While Asian Americans, Native Hawaiians, and other Pacific Islanders are often misrepresented as a homogeneous group, they are an extremely diverse group, with ethnicities from over thirty different countries. Asian American, Native Hawaiian, and other Pacific Islander communities in this State experience diverse social, educational, health, and economic differences that are unique to their respective communities.

Further, your Committee finds that Hawaii's state agencies do not all keep or make accessible to the public demographic data in a standard or uniform manner that comports with the prevailing federal standards. Disaggregating race data for collection, analysis, and evaluation, access and dissemination can aid in shaping programs and policies to advance more equitable outcomes for all communities in the State. Your Committee also finds that the State has unique trust responsibilities with respect to Native Hawaiians, which are administered by a variety of state agencies, including but not limited to the Office of Hawaiian Affairs. Therefore, Your Committee finds that the uniform collection and sharing of data specific to Native Hawaiians is critical to the proper administration of the State's trust responsibilities and improving the conditions of Native Hawaiians through other similar initiatives.

Your Committee has amended this measure to reflect the testimony of stakeholders by:

- (1) Updating language to reflect a more accurate and inclusive representation of major Asian groups and Pacific Islanders;
- (2) Identifying the agencies required to improve processes relative to the collection and dissemination of disaggregated data;
- (3) Establishing a task force on twenty-first Century Data Governance that is required to report to the Legislature prior to the Regular Session of 2024;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 811, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 811, 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 (San Buenaventura).

**SCRep. 370 Government Operations on S.B. No. 991**

The purpose and intent of this measure is to:

- (1) Impose a cap on costs charged to reproduce certain government records;
- (2) Waive reproduction costs charged for the first one hundred pages if disclosure serves the public interest;
- (3) Waive costs charged to duplicate certain government records in an electronic format;
- (4) Impose a cap on costs charged to search for, review, and segregate records; and
- (5) Provide for a waiver of fees when a record's disclosure serves the public interest.

Your Committee received testimony in support of this measure from the Employees' Retirement System, Civil Beat Law Center for the Public Interest, All Hawaii News, Hawaii Bulletin, League of Women Voters of Hawaii, and 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 Office of Information Practices, Department of Accounting and General Services, Department of Budget and Finance, Department of Human Services, Department of Commerce and Consumer Affairs, Honolulu Police Department, Grassroot Institute of Hawaii, and the Hawaii Chapter of The Society of Professional Journalists.

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's 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:

- (1) Inserting an appropriation of \$185,000 to establish two full-time equivalent permanent positions within the Office of Information Practices;
- (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 Office of Information Practices expressing concerns about the significant effect the changes proposed by this measure would potentially have on increasing the staff workload. 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. Your Committee also respectfully asks the Committees on Judiciary and Ways and Means to request that the Civil Beat Law Center for the Public Interest, as promised in their testimony, provide a report of charges for government records requested in 2022.

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. 991, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 991, 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 (San Buenaventura).

**SCRep. 371 Government Operations on S.B. No. 1416**

The purpose and intent of this measure is to:

- (1) Require any report of a study or an audit enacted with a legislative appropriation or adopted by concurrent resolution and conducted by an executive department or agency, to be submitted to the Senate President, Speaker of the House of Representatives, the chairs of the appropriate subject matter committee of each house, and the Legislative Reference Bureau library;

- (2) Require a public hearing or informational briefing within one year of receipt of the report, except under certain circumstances;
- (3) Exempt financial and other regularly occurring audits; and
- (4) Require state departments and agencies to submit a report to the Legislature on certain information regarding funded state programs enacted into law within a year of passage.

Your Committee received testimony in support of this measure from the Office of the Auditor. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that, every year, laws are enacted that require new studies and audits of various state government departments or agencies. Conducting and completing many of these studies and audits requires an appropriation and also consumes valuable time and resources of the department, agency, office, or branch of government tasked with preparing the study or audit. Your Committee also finds that the resultant report is often not widely reviewed by the Legislature or public and can sometimes go completely unnoticed despite the fact that these reports can contain valuable information. Your Committee further finds that mandating a public hearing or informational briefing that would facilitate discussion and analysis of the report findings and recommendations would better serve the public interest.

Your Committee has heard the testimony of the Office of the Auditor stating that their role is categorically dissimilar to the departments and agencies listed in the measure. Specifically, the Office of the Auditor conducts audits and prepares performance audits. Your Committee recognizes that this measure should also allow for mandatory hearings by the pertinent subject-matter committees on performance audits prepared by the legislative advocate.

Accordingly, your Committee has amended this measure by:

- (1) Removing the Auditor from the list of agencies subject to procedures for consideration of reports;
- (2) Specifying procedures for consideration of performance audit reports issued by the Office of the Auditor, including language requiring a public hearing or information briefing within one year of the issuance of the performance audit report;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Inserting an effective date of July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1416, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1416, 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 (San Buenaventura).

**SCRep. 372 (Majority) Government Operations on S.B. No. 1438**

The purpose and intent of this measure is to transfer the Office of Consumer Protection from the Department of Commerce and Consumer Protection to the Department of the Attorney General.

Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs, Office of Consumer Protection of the Department of Commerce and Consumer Affairs, and one individual. Your Committee received comments on this measure from Office of the Attorney General and Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs.

Your Committee finds that the Office of Consumer Protection is a division of the Department of Commerce and Consumer Affairs whose purpose is to promote fair and honest business practices by investigating alleged violations of consumer protection laws, taking legal action to stop unfair or deceptive practices in the marketplace, and educating the consumer public and businesses regarding their respective rights and obligations.

Your Committee has serious concerns about this measure as it could dilute the efficacy of the Office of Consumer Protection if it were placed in a subservient role within the Department of the Attorney General. Your Committee recognizes that the determination of whether the jurisdiction of the Office of Consumer Protection should be within the Department of Commerce and Consumer Affairs or the Department of the Attorney General should be made by the subject-matter Committee under which these departments fall. As such, your Committee respectfully requests your Committees on Commerce and Consumer Protection, Judiciary, and Ways and Means, should they choose to hear this measure, to thoroughly debate whether the placement of the Office of Consumer Protection within the Department of the Attorney General is in the best interest of the function of the agency.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2112, 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1438, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1438, 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, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 373 Government Operations on S.B. No. 613**

The purpose and intent of this measure is to:

- (1) Require each house of the Legislature to establish by its rules, procedures that enable the Legislature to use remote testimony at legislative committee hearings, enable the public to present oral testimony at legislative committee hearings through remote testimony, and accommodate persons with disabilities through remote testimony; and
- (2) Define “remote testimony”.

Your Committee received testimony in support of this measure from the Hawai‘i State Council on Developmental Disabilities, League of Women Voters of Hawaii, Hawai‘i Alliance of Nonprofit Organizations, and four individuals.

Your Committee finds that the emergence of the coronavirus disease 2019 and temporary rules enabled the public to participate in the legislative process via live, real-time remote testimony, thus circumventing geographic challenges specific to the State. Expanded public access through the use of technology also provides persons with disabilities another means of accessibility to participation in policy processes. Therefore, your Committee finds that remote testimony should be made permanent.

Your Committee also finds that allowing remote testimony has proven to be an immeasurable asset in allowing members of the public from the neighbor islands to participate through in-person testimony and to engage committee members in questions and answers without the burden of lost time and expense in having to travel to the Hawaii State Capitol to be able to testify in person.

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. 613 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 (Awa).

**SCRep. 374 Judiciary on S.B. No. 1559**

The purpose and intent of this measure is to amend the State Constitution to allow electronic copies, as an alternative to printed copies, of a bill to be made available for members of a house in which the bill is being voted upon for third or final reading in fulfillment of the forty-eight-hour availability requirement.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that unnecessary resources such as time, labor, and paper are used to meet the requirement that printed copies of a bill be made available for members of a house of the Legislature when the bill is being voted upon on third or final reading. This measure will make it easier for a house to meet the forty-eight-hour availability requirement and conserve resources.

Your Committee has amended this measure by specifying that the ballot question is “[s]hall the Hawaii State Constitution be amended to allow an electronic copy of a bill, in addition to the existing option to provide a printed copy of a bill, to fulfill the procedures for a third or final vote of the Legislature?”.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1559, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1559, 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. 375 (Majority) Judiciary on S.B. No. 1561**

The purpose and intent of this measure is to propose a constitutional amendment to allow citizens who are seventeen years of age but will be eighteen years of age on or before the next general election to vote at the primary election immediately preceding the general election by which the citizen will attain the age of eighteen and any intervening or co-occurring special election.

Your Committee received testimony in support of this measure from 350Hawaii 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 the Attorney General.

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 believes that providing these individuals with the ability to vote in the state and county primary elections and any intervening or co-occurring special election immediately preceding the state and county general election will give young individuals the opportunity to vote while still in high school, which will encourage greater civic engagement, voter turnout, and voter participation amongst the State’s youth.

Your Committee has amended this measure by:

- (1) Incorporating changes proposed by the Department of the Attorney General that limit this measure to county and state elections;
- (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. 1561, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1561, 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 (Awa). Excused, none.

**SCRep. 376      Judiciary on S.B. No. 494**

The purpose and intent of this measure is to:

- (1) Require counties to establish expedited procedures to approve demolition permits for vacant and abandoned residential properties; and
- (2) Allow the Department of Taxation to satisfy certain tax liens through the nonjudicial foreclosure of vacant and abandoned residential properties at any time after establishing vacancy and abandonment.

Your Committee received testimony in support of this measure from the Department of Planning and Permitting of the City and County of Honolulu, two members of the Honolulu City Council, and one individual. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that abandoned residential properties can impose significant costs on the community and become public safety hazards and magnets for criminal activity. Your Committee further finds that it is in the public's interest to encourage the use of residential properties and reduce the number of vacant and abandoned homes in the State. This measure will reduce the potential hazards associated with vacant and abandoned residential properties and ensure that they are promptly removed from Hawaii communities.

Your Committee has amended this measure by:

- (1) Specifying that expedited processing of a permit to demolish vacant residential structures shall take not more than twenty-one days from the date of the permit application;
- (2) Specifying that expedited processing for permits to demolish vacant residential structures shall commence no later than January 1, 2024;
- (3) Specifying that an application for a building permit for new construction, rehabilitation, or reconstruction on the parcel for which the expedited demolition permit was approved shall be denied if the permit application for new construction, rehabilitation, or reconstruction is submitted within three hundred sixty-five days of the approval of the expedited demolition permit;
- (4) Specifying that the Department of Taxation shall establish that a residential structure is vacant and abandoned by mailing to the residential structure's owner by certified mail with return receipt a sworn statement establishing that the Department of Taxation has conducted at least two separate inspections, each at least seven days apart and at different times of day, and at each inspection, no occupant was present and there was no evidence of occupancy;
- (5) Inserting an effective date of March 22, 2075, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 494, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 494, 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. 377      (Joint) Judiciary and Hawaiian Affairs on S.B. No. 57**

The purpose and intent of this measure is to appropriate funds for staff positions and various services to support the 'Ōlelo Hawai'i initiatives of the Judiciary.

Your Committees received testimony in support of this measure from the Judiciary, Office of Hawaiian Affairs, and five individuals. Your Committees received testimony in opposition to this measure from two individuals.

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, 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 Judiciary's 'Ōlelo Hawai'i initiatives and ultimately the revitalization of the Hawaiian language.

Your Committees have amended this measure by:

- (1) Appropriating \$300,000 to the Judiciary to support 'Ōlelo Hawai'i projects rather than appropriating funds for positions and services; 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 Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 57, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 57, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 4. Noes, none. Excused, 1 (Gabbard).  
 Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Richards).

**SCRep. 378 (Joint/Majority) Housing and Government Operations on S.B. No. 861**

The purpose and intent of this measure is to direct the Legislative Reference Bureau to conduct a study of a housing savings account system.

Your Committees received testimony in support of this measure from the Hawaii Credit Union League. Your Committees received comments on this measure from the Legislative Reference Bureau.

Your Committees find that affordable housing in the State has reached crisis levels. Creative solutions are needed to combat this crisis. This measure requires a study of the viability of establishing a housing savings account system for employees and employers. However, your Committees received testimony from the Legislative Reference Bureau expressing concerns that the agency lacks the subject matter expertise to conduct the study as requested.

Accordingly, your Committees have amended this measure by:

- (1) Authorizing the Legislative Reference Bureau to contract for services to conduct the study;
- (2) Extending the timeframe for completion of the study and the report to the Legislature to 2025; and
- (3) Inserting an appropriation in the amount of \$500,000 for the Legislative Reference Bureau to contract for services to complete the study.

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. 861, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 861, 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, 1 (Awa). Excused, none.  
 Government Operations: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Wakai).

**SCRep. 379 Water and Land on S.B. No. 44**

The purpose and intent of this measure is to:

- (1) Add a minimum penalty of \$50 per violation of the State Water Code and make each day that a violation exists or continues a separate offense; and
- (2) Require the Commission on Water Resource Management to determine the amount of the penalty based on the circumstances of the violation.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that in 1987, the State Water Code was adopted to protect the precious water resources of the State. To better enable the Department of Land and Natural Resources and Commission on Water Resource Management to carry out that mission, your Committee further finds that the State Water Code's penalties and fines must be amended and increased to serve as an effective deterrence to violators. Therefore, this measure adds a minimum penalty of \$50 per violation of the State Water Code and makes each day that a violation exists or continues a separate offense and requires the Commission on Water Resource Management to determine the amount of the penalty based on the circumstances of the violation.

Your Committee has amended this measure by:

- (1) Raising the maximum penalty per violation to \$25,000, from \$5,000;
- (2) Amending section 1 to reflect its amended purpose; 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. 44, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 44, 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. 380 Water and Land on S.B. No. 66**

The purpose and intent of this measure is to prohibit purposeful harassment with the intent to prevent the taking of fish by persons who are fishing in state waters.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; and nine individuals. Your Committee received testimony in opposition to this measure from For the Fishes; Hawai'i Reef and Ocean Coalition; Big Island Reef Keepers Hui; Friends of Hanauma Bay; Kauhakō Ohana Association; Hawaii Marine Education and Research Center; Surfrider Foundation; and eight individuals. Your Committee received comments on this measure from Kua'āina Ulu 'Auamo and one individual.

Your Committee finds that existing state law protects fishers from harassment if they are taking fish pursuant to a freshwater game fishing license. However, your Committee finds that there is a need to extend these protections to all persons fishing in marine waters to promote the safety and enjoyment of individuals engaged in fishing activities. Therefore, this measure prohibits purposeful harassment with the intent to prevent the taking of fish by people who are fishing and extends protections against harassment to all persons fishing in marine waters.

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. 66, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 66, 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 (Elefante, McKelvey, Fevella). Noes, none. Excused, none.

**SCRep. 381 Water and Land on S.B. No. 770**

The purpose and intent of this measure is to appropriate funds for a grant-in-aid 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 the Kahaluu Beach Park in the County of Hawaii, conditioned upon the County of Hawaii's contribution of matching funds.

Your Committee received testimony in support of this measure from the State of Hawai'i Aha Moku, Department of Research and Development of the County of Hawai'i, one member of the Hawai'i County Council, Department of Parks and Recreation of the County of Hawai'i, Kahalu'u Bay Education Center, Kauhakō Ohana Association, Clean the Pacific, ReefTeach Program, Friends of Hanauma Bay, Hawai'i Reef and Ocean Coalition, Dear Ocean, and forty-four individuals.

Your Committee finds that, during the 2021 Regular Session, the Senate adopted Senate Concurrent Resolution No. 52, S.D. 1 (2021), which requested the collaboration of the Department of Land and Natural Resources and the County of Hawaii to identify and develop plans to avoid further deterioration from the rising sea levels at Kahaluu Bay. The resulting interagency working group has since been planning for the restoration of Kahaluu Beach Park. Your Committee believes that the group's findings warrant funding and prioritization. Therefore, this measure appropriates funds for a grant-in-aid 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 the Kahaluu Beach Park in the County of Hawaii, conditioned upon the County of Hawaii's contribution of matching funds.

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. 770, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 770, 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. 382 Water and Land on S.B. No. 772**

The purpose and intent of this measure is to require the Department of Land and Natural Resources to establish and conduct the Marine Life Conservation District Carrying Capacity Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, and one individual. Your Committee received testimony in opposition to this measure from the Ocean Tourism Coalition, Calypso Charters, and one individual.

Your Committee finds that marine life conservation districts (MLCDs) are established by the Department of Land and Natural Resources to conserve and replenish the State's marine resources. Your Committee further finds that because MLCDs permit non—consumptive uses, such as swimming, snorkeling, and diving, these areas are highly frequented by locals, visitors, and ocean recreation businesses. Your Committee finds that appropriate carrying capacity restrictions, such as a twice—weekly closure requirement, reservation system, differential parking fees for residents and non-residents, \$25 entry fee for non—residents more than thirteen years of age, and mandatory education for visitors, can improve an area's marine ecosystem and ensure that ocean resources and user experiences do not deteriorate. Therefore, this measure requires the Department of Land and Natural Resources to establish and conduct the MLCD Carrying Capacity Program.

Your Committee has heard the testimony of the Department of Land and Natural Resources, expressing their concern that it may be difficult to monitor and document the effectiveness of mandatory kapu or fees or other restrictions at specific MLCDs without having the legal authority or practical means to implement those measures to test them. The Department further testified that the Department lacks the legal authority to implement mandatory closures of high-traffic areas in MLCDs for the purpose of conducting a study.

Therefore, your Committee has amended this measure by:

- (1) Clarifying that the Department of Land and Natural Resources will monitor, document, and assess the effectiveness of mandatory and voluntary kapu and closures of ecologically or culturally sensitive areas, rather than high-traffic areas, in state designated MLCDS;
- (2) Requiring the Department of Land and Natural Resources to monitor, document, and assess the effectiveness of mandatory or voluntary restrictions on certain activities in state-designated MLCDS;
- (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. 772, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 772, 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. 383 Water and Land on S.B. No. 1064**

The purpose and intent of this measure is to:

- (1) Establish the dam and appurtenance loan and grant programs for plans, design, construction, and equipment that is used to improve deficient dams and appurtenances as determined by the Department of Land and Natural Resources and approved by the Board of Land and Natural Resources;
- (2) Specify eligibility requirements for dam and appurtenance improvement grants; and
- (3) Establish the dam and appurtenance improvement tax credit for expenditures for dam and appurtenance improvements that bring dams and appurtenances up to code.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Taxation, and Department of Budget and Finance.

Your Committee finds that some plantation era reservoirs across the State, including locations in Maui County, are on lands sold by plantation landowners to developers. Your Committee further finds that following the sale, developers constructed subdivisions and often included the existing dams and appurtenances within the deeds to the homeowners. However, these dams and appurtenances are often not properly maintained and, during periods of extreme weather, the surrounding neighborhoods face significant risks from flooding. Your Committee also finds that despite the potential hazards posed by these dams and appurtenances, the Department of Land and Natural Resources consider them to be privately owned and therefore the responsibility of the homeowners to maintain. Your Committee further finds that due to the costly nature of repairing dams and appurtenances, many remain in an unsafe condition. Therefore, this measure establishes the dam and appurtenance loan and grant programs and the dam and appurtenance tax credit to help private homeowners improve deficient dams and appurtenances.

Your Committee has heard the testimony of the Department of Land and Natural Resources, expressing concern that a loan program would not be feasible because: (1) the typical dam owner affected by this measure will unlikely have a consistent revenue stream to qualify for a loan or service the debt on a loan; (2) the issuance of special purpose revenue bonds would eliminate the need to create a redundant loan program; and (3) a loan program would be costly to administer. As for the tax credit program, the Department testified that it has no expertise in issuing tax credits.

Therefore, your Committee has amended this measure by:

- (1) Eliminating the proposed dam and appurtenance improvement loan program and tax credit, and eliminating the associated business loan officer full-time equivalent (1.0 FTE) position;
- (2) Allowing grant applicants to use grant proceeds for either the remediation or the removal of a deficient dam or appurtenance, and amending the name of the grant program to reflect its amended purpose;
- (3) Providing a one-time appropriation for seed funding for the dam and appurtenance improvement or removal grant program;
- (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 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. 1064, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1064, 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. 384 Water and Land on S.B. No. 1066**

The purpose and intent of this measure is to establish within the Department of Land and Natural Resources a water security working group to study and recommend priority capital improvement projects for legislative consideration that leverage public-private investment to increase Hawaii's water security.



Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Ulupono Initiative, and one individual.

Your Committee finds that over a century ago, Hawaii's plantation agricultural enterprises supported and created water infrastructure. Your Committee further finds that while those historic investments established the water infrastructure that is used today, the industry has since left the State along with the money necessary to maintain it. Your Committee also finds that new and innovative investment partnerships and community engagement are needed to mobilize large-scale investment in Hawaii's fresh water security. This will require partners from multiple sectors, including the county, state, and federal governments, as well as private philanthropic and corporate entities, to work together to leverage funds and provide matching opportunities. Therefore, this measure establishes within the Department of Land and Natural Resources a water security working group to study and recommend priority capital improvement projects for legislative consideration that leverage public-private investment to increase Hawaii's water security.

Your Committee has amended this measure by:

- (1) Requiring the Department of Land and Natural Resources to include in its study and report to the Legislature funding and financing strategies for each recommended project;
- (2) Adding to the working group the Administrator of the Division of Forestry and Wildlife of the Department of Land and Natural Resources, or Administrator's designee, and the Deputy Director of the Department of Health, or Deputy Director's designee;
- (3) Amending section 1 to reflect its amended purpose;
- (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. 1066, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1066, 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. 385 Water and Land on S.B. No. 1153**

The purpose and intent of this measure is to:

- (1) Establish a Honolua Bay Advisory Board to administer the Honolua Bay Special Fund and oversee the conservation of Honolua Bay;
- (2) Establish the Honolua Bay Special Fund for conservation purposes and the upkeep and maintenance of Lipoa Point;
- (3) Establish a fee system for tour boats entering Honolua Bay and marine life conservation district;
- (4) Require the Department of Land and Natural Resources to include and incorporate Honolua Bay into the Division of State Parks' online reservation system; and
- (5) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku, one member of the Maui County Council, and one individual. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Ocean Tourism Coalition, Trilogy, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the purchase of Lipoa Point, which is the home of the iconic Honolua Bay, was a milestone in the State's preservation of important natural areas. However, your Committee also finds that despite this monumental acquisition, the Department of Land and Natural Resources has squandered this historic investment by failing to allocate sufficient funds for much needed remediation of erosion and other types of necessary care for the area. Your Committee finds that numerous visitors frequent Honolua Bay and that visitor fees could provide a meaningful source of revenue to heal and protect Honolua Bay and preserve it for the future use of all. Therefore, this measure establishes the Honolua Bay Special Fund for conservation purposes and the upkeep and maintenance of Lipoa Point.

Your Committee has heard the testimony of the Ocean Tourism Coalition, requesting that the fee system for tour boats that enter the Honolua Bay marine life conservation district be removed. The Ocean Tourism Coalition testified that in 2021, they collaborated with the Division of Aquatic Resources to pass legislation that will charge boat operators a \$1 per passenger fee starting in 2024, known as the Ocean Stewardship Fee, and that fees to support the Honolua Bay should come from those who are not already paying.

Your Committee has also heard the testimony of the Hawaii State Aha Moku, requesting that members who are generational and lineal descendants from the Honolua and Honokohau ahupuaa be added to the advisory board to ensure that direct descendants are represented in the advisory board's decision-making process.

Therefore, your Committee has amended this measure by:

- (1) Eliminating the proposed fee system for tour boats that enter the Honolua Bay marine life conservation district;
- (2) Adding one member to the advisory board who is a generational and lineal descendant of the Honolua ahupuaa and one member to the advisory board who is a generational and lineal descendant of the Honokohau ahupuaa;
- (3) Amending section 1 to reflect its amended purpose;

- (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. 1153, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1153, 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. 386 (Joint/Majority) Housing and Water and Land on S.B. No. 1286**

The purpose and intent of this measure is to:

- (1) Increase options to build affordable housing in Hawai'i Community Development Authority (HCDA) districts by increasing the permissible lease term to ninety-nine years; and
- (2) Prohibit HCDA from leasing lands that were classed as crown lands prior to August 15, 1895, for a term longer than sixty-five years.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawai'i Community Development Authority. Your Committees received comments on this measure from the Office of Hawaiian Affairs.

Your Committees find that given the acute lack of affordable housing in the State, a multi-pronged approach is necessary to meet the current and future housing demands. Leasehold housing units tend to be more affordable than fee simple housing units, if the land on which housing is developed is owned by the State and leased to a developer for housing development. Developing multi-family housing units on a lot lowers the cost of land for the development, which in turn will lower the sales price of the housing units. Because the cost of leasehold land is lower than fee simple land and paid over a longer period, it further reduces the land cost and makes the housing units even more affordable. Additionally, the State will continue to be the fee owner of the land. Thus, encouraging development of for-sale leasehold housing units is a viable strategy in meeting housing demand. Therefore, this measure authorizes HCDA to lease real property, except certain crown lands, for a term of ninety-nine years.

Your Committees note the testimony of the Office of Hawaiian Affairs maintaining that the Native Hawaiian people continue to assert their claim to crown and government lands; claims that have yet to be settled. Your Committees also note the Office of Hawaiian Affairs' request that the provision in the measure that prohibits HCDA from leasing real property classed as crown lands prior to August 15, 1895, also be applied to lands that were classed as government lands prior to August 15, 1895. Your Committees request the Committees on Ways and Means and Judiciary consider this issue should they hear this measure.

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. 1286 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.  
Housing: Ayes, 4. Noes, 1 (Awa). Excused, none.  
Water and Land: Ayes, 4. Noes, 1 (Fevella). Excused, none.

**SCRep. 387 (Joint) Agriculture and Environment and Government Operations on S.B. No. 175**

The purpose and intent of this measure is to:

- (1) Require state agencies to implement an on-site recycling program using rules issued by the Department of Health, in conjunction with the Office of Planning and Sustainable Development, at buildings and facilities managed, maintained, or serviced by the Department of Accounting and General Services; and
- (2) Require and appropriate funds for the Department of Health, in conjunction with the Office of Planning and Sustainable Development, to conduct a study on the benefits and costs in increasing reuse and reduce efforts throughout the State, recycling streams, and solid waste management in Hawaii.

Your Committees received testimony in support of this measure from the Hawai'i Climate Change Mitigation and Adaptation Commission, Environmental Caucus of the Democratic Party of Hawai'i, and five individuals. Your Committees received comments on this measure from the Department of Health and Office of Planning and Sustainable Development.

Your Committees find that zero waste living is an environmental ideal that the State aspires to one day realize. With zero waste living, waste is eliminated throughout the product lifecycle and zero waste products end up in a landfill or are destroyed by high temperature incineration. Your Committees further find that the State had previously set a recycling goal to reduce the solid waste stream prior to disposal by fifty percent through source reduction, recycling, and bioconversion by January 1, 2000. However, this statutory target has never been met, peaking at forty-three percent in 2015, and has since dropped precipitously to 24.8 percent in 2022. Your Committees acknowledge this decline and find importance in aligning the State with the Hawai'i 2050 Sustainability Plan, which recommends that the State should comply with laws requiring recycling in state-owned facilities and incorporate principles of waste minimization and pollution prevention, such as reducing, reusing, and recycling as a standard operating practice in programs. Thus, this measure requires state agencies to implement an on-site recycling program at buildings and facilities managed, maintained, or serviced by the Department of Accounting and General Services and requires the Department of Health, in conjunction with the Office of Planning and Sustainable Development, to conduct a study on the benefits and costs in increasing reuse and reduce efforts throughout the State.

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 S.B. No. 175 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.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 388 (Joint) Agriculture and Environment and Public Safety and Intergovernmental and Military Affairs on S.B. No. 655**

The purpose and intent of this measure is to give authority to the Department of Agriculture to align state hemp production administrative rules with federal law when concerning exemptions for fiber, fuel, and seed grain hemp crops.

Your Committees received testimony in support of this measure from the Department of Agriculture, Hawai'i Hemp Farmers Association, Hawai'i Farm Bureau, Aina Ho'okupu o Kilauea, and eleven individuals. Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that Hawaii's hemp industry is the most regulated in the nation and that overregulation hinders valuable growth in the industry, which otherwise could foster sustainable resources and food security in Hawaii, particularly with regard to the fiber, fuel, and seed grain sectors. Your Committees additionally find that there are numerous projects in the State examining the many uses of hemp, but most of these projects import hemp due to the regulatory barriers to growing hemp in Hawaii. This measure gives the Department of Agriculture authority to align state hemp regulations with federal law to minimize any unnecessary regulations that hamper the growth and production of Hawaii's hemp industry.

Your Committees have amended this measure by:

- (1) Inserting language as recommended by the Hawai'i Hemp Farmers Association, which gives the Department of Agriculture the authority to regulate commercial hemp production rules to align with federal laws;
- (2) Repealing unnecessary statutory language relating to nuisance, as recommended by the Department of Agriculture, since pre-existing regulations and authority under the Department of Health and county land use ordinances already address the areas of nuisance referenced, and to avoid confusion and any challenges brought on by a duplicative enforcement framework; 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 Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 655, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 655, 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. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 389 (Joint) Agriculture and Environment and Public Safety and Intergovernmental and Military Affairs on S.B. No. 1466**

The purpose and intent of this measure is to establish and appropriate funds for a cesspool pilot program within the Environmental Management Division of the Department of Health to work with each county to identify a priority area to connect individual properties to a centralized sewage system to reduce or eliminate cesspools in each county.

Your Committees received testimony in support of this measure from the Department of Health, University of Hawai'i Sea Grant Program, University of Hawaii Water Resources Research Center, Kingdom Pathways, Rotary Club of Hanalei Bay, Friends of Hanauma Bay, Environmental Caucus of the Democratic Party of Hawai'i, Hawaii Marine Education and Research Center, Hawai'i Reef and Ocean Coalition, Hawai'i REALTORS, Ulupono Initiative, Hawai'i Farm Bureau, Surfrider Foundation, and four individuals.

Your Committees find that pursuant to Act 125, Session Laws of Hawaii 2017, every cesspool in the State, excluding cesspools granted exemptions by the Director of Health, must be upgraded or converted to a Director of Health-approved wastewater system or connected to a sewage system before 2050. This measure establishes a pilot program with upfront planning funds to counties to identify the most feasible areas to connect an existing or future wastewater treatment plant, engage communities in the discussion, conduct preliminary engineering, and estimate upfront and ongoing costs for implementation.

Accordingly, your Committees have amended this measure by:

- (1) Inserting recommended language from the Department of Health, authorizing the use of any contractor support services required by the Environmental Management Division of the Department of Health in establishing and implementing the pilot program; 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 Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1466, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1466, 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 (DeCoite, Richards). Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 390 Health and Human Services on S.B. No. 599**

The purpose and intent of this measure is to expand the class of health care providers who may prescribe respiratory care services to include physician assistants and advanced practice registered nurses.

Your Committee received testimony in support of this measure from the Hawai'i State Center for Nursing, Hawai'i Pacific Health, Kaiser Permanente Hawai'i, Hawai'i Association of Professional Nurses, Hawai'i Academy of Physician Assistants, Hawaii Society for Respiratory Care, and two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Board of Nursing, and Hawaii Medical Board.

Your Committee finds that health care professionals are in high demand yet in low supply, particularly on the neighbor islands and in rural and underserved areas of the State. Your Committee further finds that although advanced practice registered nurses and physician assistants are credentialled to provide critical care to both adults and children, and are educated, trained, and privileged to write orders to manage ventilators, existing law prohibits them from prescribing, ordering, or directing respiratory care services. To provide patients with high quality care despite the State's chronic provider shortage, it is crucial that a health care provider's permitted scope of practice reflects the full extent of their training. This measure aligns state law with community standards of practice and the regulations adopted by the Centers for Medicare and Medicaid Services, under which qualified non-physician providers, including advanced practice registered nurses and physician assistants, are able to safely and competently order respiratory therapy for patients, to be implemented by respiratory therapists.

Your Committee acknowledges the concerns raised by the Board of Nursing over how this measure, as currently written, uses certain terms pertaining to advanced practice registered nurses. Your Committee also acknowledges similar concerns raised by the Hawaii Medical Board as it pertains to physician assistants. Therefore, this measure needs to be amended to address these concerns.

Your Committee has amended this measure by:

- (1) Making conforming amendments to existing law to clarify that certain physician assistants shall be authorized to sign orders for respiratory therapy and plans of care;
- (2) Amending the term "qualified medical direction" to read "qualified direction";
- (3) Clarifying that no person shall practice respiratory care except under the order and qualified direction of certain licensed providers;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 599, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 599, 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. 391 (Majority) Health and Human Services on S.B. No. 162**

The purpose and intent of this measure is to allow the Board of Dentistry to issue without examination:

- (1) A community service license to practice dental hygiene in the employment of a community health center and allow eligible candidates to submit as documentation and credentials, diplomas and certificates of graduation from a dental hygiene college or dental college that is recognized by the American Dental Association Commission on Dental Accreditation, recognized and approved by the Board;
- (2) A community service license to practice dentistry in the employment of a community health center and allow eligible candidates to submit as documentation and credentials, diplomas and certificates of graduation from a dental hygiene college or dental college that is recognized by the American Dental Association Commission on Dental Accreditation, recognized and approved by the Board, and certificates or other evidence satisfactory to the Board of having passed the Integrated National Board Dental Examination; and
- (3) A temporary license to practice dentistry exclusively under the auspices of a dental residency program, to graduates from a dental college accredited or recognized by the American Dental Association Commission on Dental Accreditation, recognized and approved by the Board.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Dental Hygienists' Association, AlohaCare, Hawai'i Oral Health Coalition, Hawaii Dental Service, Hawaii Island Community Health Center, Hawai'i Children's Action Network (HCAN) Speaks!, Ho'ōla Lāhui Hawai'i, and eight individuals. Your Committee received comments on this measure from the Board of Dentistry, University of Hawai'i System, Hawaii Dental Association, and Grassroot Institute of Hawaii.

Your Committee finds that oral health is a critical component of overall health and wellness, and increasing the number of available public health dentists and dental hygienists who primarily treat the State's underserved and vulnerable populations is crucial to address the noticeable shortage over the last few years. This measure will address the workforce shortage in the public health dental sector, improving access to quality dental care and help to reduce the State's oral health disparities.

Your Committee acknowledges testimony stating that currently, the American Dental Association Commission on Dental Accreditation only "recognizes" through a formal reciprocal agreement, dental educational programs that are accredited by the

Commission on Dental Accreditation of Canada as programs that are equivalent to ones accredited by the American Dental Association Commission on Dental Accreditation. Accordingly, there is a need to amend this measure to address this issue.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the issuance of community service licenses and temporary license without examination pursuant to this measure only applies to graduates of a dental college or dental hygiene college with a "reciprocal agreement" with the American Dental Association Commission on Dental Accreditation, rather than "recognized" by the American Dental Association Commission on Dental Accreditation; 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 162, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 162, 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, 1 (Awa). Excused, none.

**SCRep. 392 (Joint) Water and Land and Energy, Economic Development, and Tourism on S.B. No. 91**

The purpose and intent of this measure is to require the Office of Planning and Sustainable Development to conduct a study to assess the possible implementation of widescale agrivoltaic adaptation and use statewide and to submit a report to the Legislature.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau, Ulupono Initiative, and one individual. Your Committees received comments on this measure from the Office of Planning and Sustainable Development and Department of Agriculture.

Your Committees find that increasing agricultural and renewable energy productivity are state priorities. Your Committees further find that agrivoltaics, or the simultaneous use of areas of land for both solar photovoltaic power generation and agriculture, is a potential way to meet both the State's agriculture and renewable energy goals. Therefore, this measure requires the Office of Planning and Sustainable Development to conduct a study to assess the possible implementation of widescale agrivoltaic adaptation and use statewide and to submit a report to the Legislature.

Your Committees have amended this measure by:

- (1) Requiring the Office of Planning and Sustainable Development to submit its report to the Legislature prior to the Regular Session of 2025, instead of prior to the Regular Session of 2024;
- (2) Including an appropriation for one full-time equivalent position (1.0 FTE) within the Office of Planning and Sustainable Development;
- (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 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. 91, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 91, 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 (Chang, Fevella).  
Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 393 (Joint/Majority) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.B. No. 1477**

The purpose and intent of this measure is to:

- (1) Transfer from the Department of Land and Natural Resources certain wharfs, launching ramps, and small boat harbors on Maui to the County of Maui; and
- (2) Appropriate funds.

Your Committees received testimony in support of this measure from one member of the Maui County Council. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committees find that the small boat harbors on Maui are significant to the island's communities because the harbors are crucial for fishing, recreation, commerce, and transportation. However, your Committees find that Maui's small boat harbors have descended into disarray, because of the numerous amounts of uncompleted repairs and maintenance projects. Additionally, your Committees find that the revenue from the facilities are not retained, but spread out over the entire State. Furthermore, due to the governance of these facilities being primarily done through offices on Oahu, the users of these facilities must often send communications through several layers of personnel. Therefore, this measure transfers from the Department of Land and Natural Resources certain wharfs, launching ramps, and small boat harbors on Maui to the County of Maui, along with the corresponding revenue from those harbors.

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 Water and Land and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1477, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1477, 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).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 394 (Joint) Housing and Commerce and Consumer Protection on S.B. No. 863**

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Residential Developers Loan Corporation (Corporation) and the Hawaii Residential Developers Loan Special Fund (Special Fund) for the purpose of guaranteeing and insuring loans made by private financial institutions to developers of residential housing for Hawaii residents who will be owner occupants and who own no other real property;
- (2) Allow funds from the Rental Housing Revolving Fund to guarantee and insure loans that private financial institution make to developers of residential housing that is required to be sold to Hawaii residents who will be owner-occupants and who own no other real property; and
- (3) Appropriate funds.

Your Committees received testimony in opposition to this measure from Stanford Carr Development, LLC. Your Committees received comments on this measure from the Department of Budget and Finance; Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; and Hawaii Housing Finance and Development Corporation.

Your Committees find that this measure is meant to increase affordable housing for Hawaii residents who will be owner occupants and who own no other real property by facilitating the guaranteeing and insuring of private loans for developers of certain affordable housing projects. According to testimony received by your Committees, the Rental Housing Revolving Fund (RHRF) was established to provide gap financing for the development of rental housing projects and any redirection of RHRF funds will result in the reduction of affordable rental housing that serves families and seniors in the vulnerable thirty percent and hundred percent area median income range.

Accordingly, your Committees have amended this measure by:

- (1) Adding a duty and power for the Corporation to enhance credit;
- (2) Clarifying that the Corporation shall not provide residential mortgage loans to consumers or guarantee or insure residential mortgage loans made to consumers;
- (3) Clarifying that five voting members of the Board of Directors of the Corporation constitute quorum;
- (4) Deleting language that would have:
  - (A) Allowed the Corporation to use funds from the RHRF to guarantee and insure loans made by private financial institutions to developers of residential housing; and
  - (B) Allowed funds from the RHRF to be deposited into the 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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 863, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 863, 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 (Rhoads).

Commerce and Consumer Protection: Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.

**SCRep. 395 (Joint) Housing and Water and Land and Government Operations on S.B. No. 865**

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 Public Housing Authority (HPHA) to qualified residents;
- (2) Exempt certain land from the definition of public lands;
- (3) Provide for the disposition of lands acquired by the HPHA but no longer needed for the ALOHA Homes Program; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority; Building Industry Association of Hawaii; The Institute for Human Services, Inc.; Church of the Crossroads; Hawai'i YIMBY; and two individuals. Your Committees received testimony in opposition to this measure from seven individuals. Your Committees received comments on this

measure from the Department of Budget and Finance, Department of Land and Natural Resources, Department of the Attorney General, and Grassroot Institute of Hawaii.

Your Committees find that the State must be proactive in establishing a unified vision and approach toward redevelopment of its properties to maximize the benefits of state land available for redevelopment. According to testimony from the Building Industry Association of Hawaii, this measure is required for the State to build its way out of the housing crisis by increasing the supply of housing at all price points. Your Committees note that due to the lack of income restrictions in the ALOHA Homes Program, a variety of incomes will inherently exist in these sites. Your Committees recognize that there are currently projects on the islands of Maui and Hawaii that are being proposed and developed under the ALOHA Homes Program's general concept of low-cost leasehold homes for sale to residents of the State on state-owned land.

Your Committees have amended this measure by:

- (1) Deleting the:
  - (A) Definition of "small and medium vendor", as it is not referenced elsewhere in the measure;
  - (B) Provision that would have required the HPHA to retain seventy-five percent of all profits from the owner's sale of the ALOHA home to an eligible buyer; and
  - (C) Language that would have exempted the expenditures of the ALOHA Homes Revolving Fund from appropriation and allotment of the Legislature;
- (2) Clarifying that the heir of a deceased owner of an ALOHA home shall sell the ALOHA home to an eligible buyer if the heir does not meet eligibility requirements to accept transfer of the ALOHA home;
- (3) Amending the number and type of positions requested by HPHA to evaluate all potential sites, negotiate public entities, and implement the ALOHA Homes Program; 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, 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. 865, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 865, 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, 4. Noes, none. Excused, 1 (Fevella).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Wakai).

**SCRep. 396 (Joint) Housing and Public Safety and Intergovernmental and Military Affairs on S.B. No. 866**

The purpose and intent of this measure is to:

- (1) Clarify that the eligibility for the general excise tax exemption for projects complying with certain prevailing wage requirements includes the nonreceipt of financing from the Hawaii Housing and Finance and Development Corporation (HHFDC);
- (2) Allow certain affordable rental housing projects to receive a waiver of various development fees from a county; and
- (3) Remove the limit on the type of costs eligible for exemption from the general excise tax for development of affordable rental housing certified by HHFDC.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Highridge Costa Development Company. Your Committees received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committees find that current market conditions and increased costs of construction make it nearly impossible to build affordable rental housing in Honolulu and throughout other counties in the State. Your Committees believe that the "stacking" of exemptions allowed under certain circumstances by this measure will incentivize developers to generate more affordable rental housing in the current economy by including relief from certain county exactions.

As affirmed by the records of votes of the members of your Committees on Housing and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 866 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.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 397 (Joint) Housing and Public Safety and Intergovernmental and Military Affairs on S.B. No. 867**

The purpose and intent of this measure is to:

- (1) Prohibit any law, ordinance, or rule from imposing an inclusionary zoning requirement on housing offered exclusively for sale in perpetuity to buyers who are residents of the State, are owner-occupants, and do not own any other real property; and
- (2) Require each county to submit a report on inclusionary zoning requirements to the Legislature every year until the Regular Session of 2028.

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 Grassroot Institute of Hawaii.

Your Committees find that it is critical for the counties to take initiative in increasing the production of affordable housing. Regulations impose a considerable burden in supplying housing and by eliminating certain inclusionary zoning rules for certain projects, this measure will help facilitate the growth of housing in the State. Your Committees note that this measure would allow each county to set housing policies that meet the unique set of needs of their communities, without consideration of the effect of inclusionary zoning requirements.

As affirmed by the records of votes of the members of your Committees on Housing and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 867 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.

Housing: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5; Ayes with Reservations (Elefante, Fukunaga, McKelvey). Noes, none. Excused, none.

**SCRep. 398 (Joint/Majority) Housing and Education on S.B. No. 874**

The purpose and intent of this measure is to exempt certain housing developments from the assessment of school impact fees.

Your Committees received testimony in support of this measure from the Office of the Governor; Hawaii Public Housing Authority; NAIOP Commercial Real Estate Development Association, Hawaii Chapter; Building Industry Association of Hawaii; Complete Construction Services Corp.; BKF & Associates, LLC; and one individual. Your Committees received testimony in opposition of this measure from the Center for Hawaiian Sovereignty Studies. Your Committees received comments on this measure from the Department of Education; Department of Hawaiian Home Lands; School Facilities Authority; EAH Housing; and Tax Foundation of Hawaii.

Your Committees find that there are an overwhelming number of Hawaii residents on the public housing waiting list, but the demand far exceeds the current supply of affordable housing projects. Your Committees also find that, although important for the funding of new school facilities, school impact fees required by section 302A—1603, Hawaii Revised Statutes, present a substantial barrier to the development of affordable housing projects in Hawaii as a result of the increase costs for developers. Several developers of affordable housing projects rely on funds from the State's Rental Housing Revolving Fund or other state appropriations to offset the cost of the school impact fee to make affordable housing projects financially viable. Your Committees believe that an exemption from school impact fees for certain housing projects as proposed by this measure will both allow those housing projects to be more cost-effective and able to proceed more quickly to meet the desperate demand for housing in the State.

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 S.B. No. 874 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, 4. Noes, 1 (Awa). Excused, none.

Education: Ayes, 4. Noes, none. Excused, 1 (Richards).

**SCRep. 399 (Joint) Public Safety and Intergovernmental and Military Affairs and Water and Land on S.B. No. 219**

The purpose and intent of this measure is to:

- (1) Clarify that section 46-4, Hawaii Revised Statutes, does not prohibit the counties from adopting zoning regulations that eliminate or amortize land uses or structures established after the effective date of the first comprehensive zoning ordinance adopted by a county; and
- (2) Clarify that county zoning regulations that restrict the time, place, manner, or duration of a land use activity do not create different types of land uses by limiting the time, place, manner, or duration of a use of land.

Your Committees received testimony in support of this measure from Keep it Kailua and four individuals. Your Committees received testimony in opposition to this measure from the Bali House and Cottage at Kehena Beach and forty-nine individuals. Your Committees received comments on this measure from the Department of the Attorney General, Airbnb, and one individual.

Your Committees find that when section 46-4, Hawaii Revised Statutes (HRS), was enacted in 1957, the Legislature intended to protect land uses and structures that were established prior to the implementation of comprehensive zoning ordinances by the counties. Interpretations of section 46-4, HRS, that prohibit the counties from adopting zoning regulations that eliminate or amortize land uses and structures established after the ordainment of comprehensive county zoning ordinances are inimical to the Legislature's intent and direction that county zoning is to be accomplished within the framework of a long-range, comprehensive general plan, and zoning districts are to guide the overall future development of each county. Your Committees further find that the rise of short-term rentals, time shares, and other short-duration uses of real property have raised questions about whether the rental types of real property for human occupancy can be treated as different types of land uses depending on the duration of a renter's length of stay or the duration of the underlying rental agreement. Your Committees believe that clarifications to section 46-4, HRS, are needed to address the regulation of short term-rentals, time shares, and other short-duration uses of real property by the counties under their local zoning ordinances.

Your Committees have amended this measure by:



- (1) Inserting language to clarify that section 46-4, HRS, does not prohibit the counties from adopting zoning regulations that eliminate or amortize land uses or structures established after the effective date of the first comprehensive zoning ordinance adopted by a county; 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 and 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. 219, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 219, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 400 (Joint/Majority) Public Safety and Intergovernmental and Military Affairs and Water and Land on S.B. No. 521**

The purpose and intent of this measure is to build upon Act 93, Session Laws of Hawaii 2021, by creating a long-term task force to proactively plan for the remediation and restoration of lands currently under federal control that are anticipated to be returned to the State, consider potential alternative uses, and identify any lands that should continue under federal control for the next ten years.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and two individuals. Your Committees received comments on this measure from the Department of the Attorney General, Office of Hawaiian Affairs, Department of Land and Natural Resources, Office of Planning and Sustainable Development, and Hawaii Military Affairs Council.

Your Committees find that many properties in the State are under claim of federal ownership or control and are being, or have been, used as military facilities. This use has resulted in contamination to the water and soil on and adjacent to many of these properties, or has created hazards, such as the presence of unexploded ordnance. To address these issues, the Legislature passed Act 93, Session Laws of Hawaii 2021, which required the Office of Planning and Sustainable Development to submit an inventory report of all lands within the State that are leased to the federal government or under federal government control. Your Committees believe that upcoming expirations or renewals of land leases between the State and the United States government provide opportunities for the return of ceded lands. This measure will allow the State to be proactive in identifying and reacquiring any lands deemed appropriate by creating a long-term task force to proactively plan for the remediation and restoration of lands currently under federal control that are anticipated to be returned to the State, consider potential alternative uses, and identify any lands that should continue under federal control for the next ten years.

Your Committees have amended this measure by:

- (1) Clarifying that the Office of Planning and Sustainable Development shall provide all necessary administrative, professional, technical, and clerical support required by the task force;
- (2) Requiring the task force to submit one report prior to the convening of the Regular Session of 2025, instead of a preliminary report prior to 2024 and second report prior to 2025; 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 and 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. 521, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 521, 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 and Intergovernmental and Military Affairs: Ayes, 4. Noes, 1 (Awa). Excused, none.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 401 Health and Human Services on S.B. No. 390**

The purpose and intent of this measure is to repeal the sunset date of section 2 of Act 119, Session Laws of Hawaii 2021 (Act 119), making permanent:

- (1) The requirement that the Hawaii Medical Board issue licenses in four levels of emergency response practice in counties with a population of five hundred thousand or greater; and
- (2) The creation of an additional licensure category for Emergency Medical Technicians 1, who are certified at a higher practice level than emergency medical technicians but do not provide ambulance services.

Your Committee received testimony in support of this measure from the Hawaii Medical Board.

Your Committee finds that emergency medical technicians are a vital part of a comprehensive emergency medical services system response and includes firefighters and ocean safety lifeguards who provide immediate life-saving interventions to patients but do not provide emergency ambulance services. Your Committee also finds that emergency medical technicians with National Registry Emergency Medical Technician certification provide at-the-scene, life-saving care with minimal equipment to critical care patients and have the knowledge and skills necessary to provide immediate interventions while awaiting the arrival of additional emergency medical services. However, until the enactment of Act 119, state law relating to the licensing or certification of emergency medical personnel addressed only emergency ambulance personnel and had no licensure category for emergency medical technicians with National Registry Emergency Medical Technician certification only. This measure repeals Act 119's July 1, 2027, sunset date and

makes permanent the authority given to the Hawaii Medical Board to certify emergency medical technicians with National Registry Emergency Medical Technician certification.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 390 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. 402 Health and Human Services on S.B. No. 473**

The purpose and intent of this measure is to exempt drug manufacturers, wholesale prescription drug distributors, and third-party logistics providers of home dialysis drugs, supplies, and devices from the license, registration, and permit requirements for pharmacies; provided that certain conditions are met.

Your Committee received testimony in support of this measure from Liberty Dialysis-Hawaii, LLC; National Kidney Foundation of Hawai'i; and two individuals. Your Committee received comments on this measure from the Board of Pharmacy.

Your Committee finds that many experts agree that home dialysis is the best option for treating kidney failure whenever possible, due to its greater scheduling flexibility, fewer food restrictions, and better outcomes. Your Committee also finds that various types of drugs and medical devices need to be regularly delivered to a patient's home for them to perform home dialysis. Your Committee believes that due to its isolated location, it is crucial for the State to have a supply chain with sufficient and immediate inventory within the State to ensure that home dialysis patients receive needed drugs, medical devices and other supplies. This measure will enable qualified, licensed logistics and distribution companies in the State to maintain an inventory of home dialysis drugs and devices, ensuring immediate and consistent access to home dialysis drugs and devices in Hawaii.

Your Committee acknowledges multiple concerns raised in testimony that despite there being two types of home dialysis, i.e., peritoneal dialysis and hemodialysis dialysis, this measure only covers dialysate drugs or devices necessary to perform peritoneal dialysis. Accordingly, an amendment to this measure is necessary to address this concern.

Your Committee has amended this measure by:

- (1) Making the measure applicable to dialysate drugs and devices necessary to perform all types of home dialysis by deleting the term "peritoneal";
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 473, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 473, 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. 403 (Majority) Health and Human Services on S.B. No. 1104**

The purpose and intent of this measure is to:

- (1) Amend the definition of "cannabis" to include cannabis propagules and cannabis cuttings, thereby authorizing dispensaries to dispense cannabis propagules and cannabis cuttings;
- (2) Allow qualifying patients and primary caregivers who are authorized to cultivate cannabis for medical use to purchase cannabis propagules and cuttings from a dispensary licensed in the State; and
- (3) Establish quantity limits and quality requirements for the dispensing of cannabis propagules and cuttings.

Your Committee received testimony in support of this measure from Maui Grown Therapies; Drug Policy Forum of Hawai'i, Inc.; Aloha Green Holdings Inc.; and two individuals. 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 existing law allows qualifying patients and primary caregivers to cultivate cannabis for medical use but neglects to provide a legal means for these individuals to acquire the propagative material to do so, such as cannabis cuttings and propagules. Consequently, qualifying patients and primary caregivers are forced to obtain cannabis genetic material from the illicit market, where there is an absence of regulation and questionable and often mislabeled material. To curtail the illicit purchasing of cannabis genetic material, this measure establishes a legal channel for the distribution of cannabis genetic material by allowing certain qualifying patients and primary caregivers to purchase cannabis cuttings and propagules from licensed dispensaries.

Your Committee further finds that allowing qualifying patients to purchase cannabis seeds would help increase legal access to cannabis genetic material. Accordingly, amendments to this measure are necessary to address cannabis seeds.

Therefore, your Committee has amended this measure by:

- (1) Clarifying that the definition of "cannabis" includes cannabis seeds;
- (2) Inserting language that allows qualifying patients and primary caregivers who are authorized to cultivate cannabis for medical use to purchase cannabis seeds from a dispensary licensed in the State;

- (3) Clarifying that the amount of cannabis, including cannabis propagules, cuttings, and seeds, possessed by a qualifying patient at any time shall not exceed an adequate supply as defined in section 329-122, Hawaii Revised Statutes;
- (4) Inserting language to require the Department of Health to adopt rules for the dispensing of cannabis propagules, cuttings, and seeds;
- (5) Amending section 1 to reflect its amended purpose;
- (6) Inserting an effective date of December 31, 2050, 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1104, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1104, 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, 1 (Awa). Excused, none.

**SCRep. 404 Ways and Means on S.B. No. 1383**

The purpose and intent of this measure is to facilitate the modernization of information technology infrastructure for the Unemployment Insurance Division of the Department of Labor and Industrial Relations by:

- (1) Instituting an unemployment insurance technology assessment to be imposed on employers at a rate of .01 per cent of taxable wages; and
- (2) Establishing the Unemployment Insurance Technology Special Fund into which the assessment shall be deposited and which shall be used to defray the costs of information technology infrastructure for the unemployment insurance program.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations.

Your Committee finds that administration of the state unemployment insurance program is funded entirely by federal funds. Your Committee also finds that the United States Department of Labor's Employment and Training Administration has opined that the costs of unemployment insurance modernization, including the cost of maintaining information technology systems, is not affordable in the current federal budget environment. Therefore, your Committee further finds that this measure provides a permanent funding mechanism to support the necessary continued maintenance of the Unemployment Insurance Division's information technology infrastructure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1383, 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, 2 (Kim, Wakai).

**SCRep. 405 Health and Human Services on S.B. No. 610**

The purpose and intent of this measure is to recognize American Sign Language as a fully developed, autonomous, natural language with its own grammar, syntax, vocabulary, and cultural heritage.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Disability and Communication Access Board, Hawaii Disability Rights Center, and eight individuals.

Your Committee finds that over forty states recognize American Sign Language (ASL) in varying degrees, with at least a dozen states enacting laws to acknowledge ASL as its own distinct language. Your Committee believes ASL is a prominent language that serves as the backbone of the United States' deaf and hard-of-hearing population, including residents of Hawaii. Your Committee further finds that recognizing ASL as a distinct language will allow more equitable access in numerous areas, including employment, public awareness, and civic participation. Therefore, this measure aims to advance public understanding and recognition that ASL is a discrete language with its own grammar, syntax, vocabulary, and cultural heritage.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 610 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. 406 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on S.B. No. 310**

The purpose and intent of this measure is to appropriate funds to the Department of Human Services and the Department of Public Safety for the pilot visitation and family resource center at the Wahiawa Correctional Facility on Oahu, including funding for the construction of a restroom in compliance with the Americans with Disabilities Act.

Your Committees received testimony in support of this measure from the Department of Public Safety, Department of Human Services, Hawaii Correctional System Oversight Commission, Community Alliance on Prisons, Blueprint For Change, Hawai'i Youth Services Network, Hawai'i Children's Action Network Speaks!, Papa Ola Lōkahi, and six individuals.

Your Committees find that families play a crucial role in the rehabilitation of inmates, particularly if the inmate has children. Additionally, your Committees recognize that a suitable environment for visitation that provides opportunity for face-to-face reconnection is necessary for the minimization of trauma for both the incarcerated individuals and their families, especially their young children. Establishing an appropriate setting for such visitation is significant because it allows families to strengthen their relationships and ultimately nourish the well-being of the incarcerated individual, their family members, and society as a whole. This measure provides funding to establish a pilot visitation and family resource center at Waiawa Correctional Facility to achieve these goals.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 310 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 and Human Services: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 407 Health and Human Services on S.B. No. 608**

The purpose and intent of this measure is to:

- (1) Require pharmacies to:
  - (A) Provide accessible prescription drug label information to individuals who have difficulty seeing or reading standard printed prescription drug container labels; and
  - (B) Inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels; and
- (2) Require the Board of Pharmacy to adopt certain rules by December 31, 2023.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, National Federation of the Blind of Hawaii, Democratic Party of Hawai'i Kupūna Caucus, National Organization of Parents of Blind Children, and nine individuals. Your Committee received comments on this measure from the Department of Human Services, Board of Pharmacy, and Walgreen Co.

Your Committee finds that existing state law requires dispensing pharmacies to label each prescription drug container with specific information, identifying the drug and providing information necessary for health and safety. However, individuals who have vision impairments and cannot see or read the labels may inadvertently take the wrong medication, the wrong amount, at the wrong time, and under the wrong instructions, thereby endangering their health and safety. This measure will reduce these concerns by requiring pharmacies to provide accessible prescription drug label information to individuals who need them.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 608, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 608, 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 (Shimabukuro).

**SCRep. 408 Health and Human Services on S.B. No. 606**

The purpose and intent of this measure is to exempt from the general excise tax, gross receipts received by a hospital, infirmary, medical clinic, health care facility, pharmacy, or a practitioner licensed to administer drugs to an individual, from the sale of hearing aids.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Democratic Party of Hawai'i Kupūna Caucus, and four individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that hearing is one of the most important senses upon which an individual depends for communication. Your Committee further finds that hearing loss is known to be the largest modifiable risk factor for developing dementia. If left untreated, hearing loss can, over time, lead to an increase in cognitive decline and exacerbate social isolation, both of which can contribute to dementia risk. Your Committee finds however, depending on the technology used, hearing aids can cost about \$1,500 to \$4,900 each and are not typically covered by health insurance and are further subject to substantial amounts in general excise taxes. This measure will make hearing aids more affordable and aligns Hawaii with the majority of other state that exempt the sale of hearing aids from taxation.

Your Committee acknowledges testimony suggesting that "hearing aid" be defined to avoid ambiguity regarding the scope of the general excise tax exemption. Accordingly, amendments to this measure are necessary to address this issue.

Additionally, should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers the Department of Taxation's request that the effective date of the measure be amended to no earlier than January 1, 2024, to allow the Department sufficient time to make the necessary form and system changes.

Your Committee has amended this measure by:

- (1) Inserting language that defines “hearing aid” to mean the same as defined in section 451A-1, Hawaii Revised Statutes;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 606, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 606, 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. 409 Health and Human Services on S.B. No. 853**

The purpose and intent of this measure is to appropriate funds to the Executive Office on Aging for the Hawaii Healthy Aging Partnership.

Your Committee received testimony in support of this measure from the Department of Health Executive Office on Aging, County of Kaua'i Agency on Elderly Affairs, AARP Hawai'i, Kūpuna Caucus of the Democratic Party of Hawai'i, Change AGEnts Hawaii, and ninety-three individuals.

Your Committee finds that the Hawaii Healthy Aging Partnership improves the health of older adults by empowering participants to make healthy decisions and engage in healthier lifestyles. Your Committee further finds that its two evidence-based intervention programs, Better Choices Better Health and EnhanceFitness, provide a myriad of benefits to participants, including reduced pain and emergency room visits and greater independence and quality of life. Despite the partnership's positive impact on participants' lives, the partnership has not received state funding since fiscal year 2019-2020. Without additional funding, the partnership will be forced to reduce its programming. To avoid a reduction in programming, this measure appropriates funds for the Hawaii Healthy Aging Partnership.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (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.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider an appropriation amount of \$550,000.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 853, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 853, 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 (Shimabukuro, Awa).

**SCRep. 410 Health and Human Services on S.B. No. 902**

The purpose and intent of this measure is to establish and appropriate funds for a caregiver workforce support and development center within the Executive Office on Aging.

Your Committee received testimony in support of this measure from the Department of Health Executive Office on Aging, Healthcare Association of Hawaii, AARP Hawai'i, Kūpuna Caucus of the Democratic Party of Hawai'i, and two individuals.

Your Committee finds that there is an urgent need to recruit and retain formal and informal caregivers within the State. The percentage of Hawaii's population seventy-five years old and above is expected to double by 2045, increasing the demand for long-term care in both institutional and home settings. The State is already facing a health care workforce shortage, with home health agencies sustaining the highest percentage of vacancies at thirty-nine percent. To ensure accessibility to care for Hawaii's kupuna, this measure establishes and funds a caregiver workforce support and development center to develop and expand the State's long-term and home- and community-based caregiver workforce.

Your Committee has amended this measure by:

- (1) Clarifying that the Executive Office on Aging shall establish and appropriate funds for a workforce development and support center rather than a caregiver workforce support and development center;
- (2) Specifying the activities the proposed workforce development and support center is authorized to perform consistent with the testimony submitted by the Executive Office on Aging;
- (3) Inserting a blank appropriation amount;
- (4) Amending section 1 to reflect its amended purpose;
- (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 record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 902, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 902, 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 (Shimabukuro, Awa).

**SCRep. 411 Health and Human Services on S.B. No. 900**

The purpose and intent of this measure is to appropriate funds for three full-time equivalent (3.0 FTE) Program Specialist positions within the Executive Office on Aging for Hawaii's State Health Insurance Assistance Program.

Your Committee received testimony in support of this measure from the Department of Health Executive Office on Aging, AARP Hawai'i, Kūpuna Caucus of the Democratic Party of Hawai'i, Hawai'i Family Caregiver Coalition, and twenty-two individuals.

Your Committee finds that the rules and procedures for Medicare eligibility and enrollment are complex and difficult to navigate, especially for kupuna. Hawaii's State Health Insurance Assistance Program provides free, local, unbiased, and confidential one-to-one counseling and education to help newly eligible individuals and existing enrollees understand and access Medicare benefits. Despite the State's Medicare population more than doubling since the inception of Hawaii's State Health Insurance Assistance Program in 1992, the program has continued to employ just two staff members and relies upon more than eighty volunteers to provide services. To meet the increased demand for services, this measure expands the capacity of Hawaii's State Health Insurance Assistance Program by appropriating funds for three additional Program Specialist positions.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 900, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 900, 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 (Shimabukuro, Awa).

**SCRep. 412 (Joint) Agriculture and Environment and Higher Education on S.B. No. 285**

The purpose and intent of this measure is to

- (1) Establish a three-year New Waste Management Solution and Cesspool System Demonstration Pilot Program within the University of Hawaii Water Resources Research Center to examine and demonstrate new wastewater and cesspool technology systems; implement those technologies in demonstration projects in areas across the State that are identified as Priority Level 1 in the 2021 Hawaii Cesspool Hazard Assessment and Prioritization Tool Report; and establish a similar ranking system for prioritization levels for the islands of Molokai, Lanai, and Niihau; and
- (2) Appropriate funds for the pilot program and positions.

Your Committees received testimony in support of this measure from the Department of Health, University of Hawai'i Water Resources Research Center and Sea Grant College Program, Department of Hawaiian Homelands, Friends of Hanauma Bay, Environmental Caucus of The Democratic Party of Hawai'i, Surfrider Foundation, Hawai'i Reef and Ocean Coalition, Hawaii Marine Education and Research Center, Hawai'i REALTORS, Wastewater Alternatives and Innovations, and four individuals.

Your Committees find that Act 125, Session Laws of Hawaii 2017, set the goal to upgrade or convert the 83,000 cesspools in the State to a septic or aerobic treatment unit system or to connect them to a central sewerage system before 2050. Your Committees additionally find that the lack of affordable, effective technology options is a major impediment to Hawaii's water quality improvement goals, and has the potential to result in a huge investment that yields little actual benefit. This measure will leverage the University of Hawaii's extensive research expertise to create an innovative pilot program that would test the safety and efficiency of new and emerging on-site wastewater technologies, determine which are best suited for Hawaii's unique conditions, and ultimately support the Department of Health in approving new and more cost effective technologies for large-scale implementation.

Your Committees have amended this measure by deleting references to "waste management" and "cesspool systems" and replacing both with the term "wastewater systems" as recommended by the Department of Health, since a cesspool is considered a wastewater system and waste management typically refers to the management of solid waste.

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. 285, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 285, 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 (Richards).  
Higher Education: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 413 (Joint) Agriculture and Environment and Higher Education on S.B. No. 518**

The purpose and intent of this measure is to require and appropriate funds for the University of Hawaii Sea Grant Program to contract with an independent consultant to establish a five-year plan to develop goals, objectives, and an operational plan with budgets and timelines to strengthen and grow the aquaculture industry in the State.

Your Committees received testimony in support of this measure from the Kohala Mountain Fish Company, Hawai'i Farm Bureau, Aquaculture Planning and Advocacy, HIplan, Hawaii Aquaculture and Aquaponics Association, and one individual. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that supporting local aquaculture can help the State attain greater food security. Your Committees further find that aquaculture in Hawaii is the fastest growing industry in the agricultural sector with substantial future growth potential. This measure requires the University of Hawai'i Sea Grant College Program to develop a statewide strategic five-year plan for the aquaculture industry with an independent consultant and provides appropriations for this purpose.

Your Committees have amended this measure by:

- (1) Inserting legislative findings that the development of the aquaculture industry in Hawaii is of statewide concern, as recommended by the Department of the Attorney General, to clarify that the legislature is exercising its power to enact laws of statewide concern, rather than the University of Hawaii in particular; 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 Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 518, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 518, 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 (Richards).

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 414 (Joint/Majority) Agriculture and Environment and Higher Education on S.B. No. 648**

The purpose and intent of this measure is to:

- (1) Require and appropriate funds for the University of Hawaii, in consultation with the Department of Agriculture, to establish and administer an aquaculture disease diagnostic laboratory; and
- (2) Establish and appropriate funds for an Aquaculture Veterinarian position within the Department of Agriculture.

Your Committees received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Local Food Coalition, Aquaculture Planning and Advocacy, HIplan, Hawaii Aquaculture and Aquaponics Association, and two individuals. Your Committees received comments on this measure from the Department of the Attorney General and University of Hawai'i College of Tropical Agriculture and Human Resources.

Your Committees acknowledge the importance of Hawaii's aquaculture industry to ongoing food security and sustainability efforts in the State. Your Committees find that Hawaii residents consume seafood at twice the national average and yet, imports about sixty-three percent of its seafood. Due in part to the State's prior commitments, Hawaii's aquaculture industry continues to be one of the fastest-growing segments of Hawaii agriculture and has become an important source of seafood and other products for local sale and export. Your Committees further find that currently, aquaculture samples are sent to the University of Arizona for testing, which creates delays in decision-making and action. Thus, this measure appropriates funds to support the Aquaculture Disease Diagnostic Laboratory at the University of Hawaii College of Tropical Agriculture and Human Resources, in partnership with the Department of Agriculture, which will provide timely and accurate diagnostic services for all sectors of livestock development, including aquaculture. Additionally, this measure appropriates funds for one full-time (1.0 FTE) Aquaculture Veterinarian position within the Aquaculture and Livestock Support Services Branch at the Department of Agriculture's Division of Animal Industry.

Accordingly, your Committees have amended this measure by:

- (1) Establishing the proposed laboratory within the State Veterinary Laboratory of the Department of Agriculture's Division of Animal Industry rather than the University of Hawai'i College of Tropical Agriculture and Human Resources;
- (2) Replacing references to the University of Hawai'i College of Tropical Agriculture and Human Resources with the Department of Agriculture;
- (3) Adding two additional full-time equivalent (2.0 FTE) Microbiologists III (SR-20) positions to the Aquaculture and Livestock Support Services Branch of the Department of Agriculture's Division of Animal Industry; 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 Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 648, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 648, 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, 3. Noes, 1 (Awa). Excused, 1 (Richards).

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 415 (Joint/Majority) Agriculture and Environment and Higher Education on S.B. No. 1488**

The purpose and intent of this measure is to require and appropriate funds for the University of Hawaii College of Tropical Agriculture and Human Resources, in consultation with livestock industry stakeholders, to conduct a study to assess the effects of heat stress on beef cattle during interisland ocean transportation.

Your Committees received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System College of Tropical Agriculture and Human Resources; Maui County Farm Bureau; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Animal Welfare Institute; Hawaii Sustainable Beef Enterprises; and seven individuals. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that maintaining an economically viable and animal-safe interisland ocean transportation system is beneficial for meeting food sustainable goals in Hawaii. Ocean transportation is of vital importance to the local cattle industry because beef cattle slaughter facilities are limited statewide and air transportation is not a viable option for livestock shipping. Your Committees further find that there are concerns circulating over the conditions inside the shipping containers that are used to ship beef cattle from one island to another over water. These concerns involve the effects of severe heat stress and the overall well-being of beef cattle during transport. A study on heat conditions in shipping containers has become necessary to ensure that animals being shipped between islands are not being subject to preventable suffering and death resulting from heat stress. This measure will require and appropriate funds for the University of Hawai'i College of Tropical Agriculture and Human Resources, in consultation with livestock industry stakeholders, to conduct a study to help livestock shippers understand the environmental conditions inside shipping devices during transport and carcass quality after transport. This study will also be useful in allowing for data-driven decision-making for potential future legislation relating to interisland cattle transportation.

Your Committees acknowledge that researchers can receive external grants for funding and may extend the study if needed.

Therefore, your Committees have amended this measure by:

- (1) Deleting the appropriations;
- (2) Inserting legislative findings as recommended by the Attorney General to clarify that this measure is a law of statewide concern; 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 and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1488, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1488, 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, 3. Noes, 1 (Awa). Excused, 1 (Richards).

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 416 (Joint/Majority) Agriculture and Environment and Higher Education on S.B. No. 646**

The purpose and intent of this measure is to appropriate funds for statewide research into ornamental ginger pathogens for the purposes of prevention, production, and distribution of pathogen-free ornamental ginger plants and outreach to ornamental producers.

Your Committees received testimony in support of this measure from the University of Hawai'i College of Tropical Agriculture and Human Resources, Hawaii Floriculture and Nursery Association, East Oahu County Farm Bureau, Land Use Research Foundation of Hawaii, Hawai'i Farm Bureau, and four individuals.

Your Committees find that *Alpinia purpurata*, or ornamental ginger, is a popular and culturally significant plant in the State that is commonly used in tropical landscaping. Your Committees further find that due to a proliferation in emergent pathogens, commercial production of ornamental ginger in the State declined by forty-six percent between 2014 and 2018. As concerns developed, researchers and extension agents at the University of Hawai'i College of Tropical Agriculture and Human Resources performed a statewide survey and causal agent identification study and found a combination of six viruses to be the cause of the ornamental ginger's decline, with other pathogens and ornamental ginger genetic variations as possible contributing factors. This measure appropriates funds to the University of Hawai'i College of Tropical Agriculture and Human Resources to support their ongoing efforts for statewide research, mitigation, and prevention of pathogens affecting the ornamental ginger plant 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. 646 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. Noes, 1 (Awa). Excused, 1 (Richards).

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 417 (Joint/Majority) Agriculture and Environment and Higher Education on S.B. No. 663**

The purpose and intent of this measure is to appropriate funds for the establishment of an Agriculture Education Coordinator position within the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to support a coordinated framework for agriculture education in the State.

Your Committees received testimony in support of this measure from the Department of Agriculture, University of Hawai'i College of Tropical Agriculture and Human Resources, Hawaii Floriculture and Nursery Association, Kanalani Ohana Farm, and one individual.



Your Committees find that the University of Hawai'i College of Tropical Agriculture and Human Resources convened the P-20 Agriculture Education Working Group, which resulted in the recommendation to the Legislature to create an Agriculture Education Coordinator position within the College. This position will work across the University of Hawai'i System, including the community colleges, Department of Education, and other members of the original working group, to improve the coordination of already existing agriculture education programs and to provide a diversity of educational options to meet Hawaii's need to train and develop more farmers in the State. This measure appropriates funds for this position to enhance the coordinated efforts of providing comprehensive educational options to aspiring 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. 663 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. Noes, 1 (Awa). Excused, 1 (Richards).

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 418 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 818**

The purpose and intent of this measure is to transfer the aquaculture program from the Department of Agriculture to the Agribusiness Development Corporation and appropriate funds.

Your Committees received testimony in support of this measure from the Agribusiness Development Corporation and one individual. Your Committees received testimony in opposition to this measure from the Department of Agriculture, Aquaculture Planning and Advocacy, and one individual. Your Committees received comments on this measure from Hawaii Aquaculture and Aquaponics Association.

Your Committees find that transferring the aquaculture program from the Department of Agriculture to the Agribusiness Development Corporation could be beneficial for the State because it is administratively attached to the Department of Business, Economic Development, and Tourism, which works to enhance Hawaii's economic goals. Your Committees further find that the Department of Agriculture is limited in its ability to oversee and enhance Hawaii's aquaculture industry due to the Department's primary functions as a regulatory and law enforcement body, with economic development being less of a priority. Therefore, the Agribusiness Development Corporation may be better suited to enhance economic development of the aquaculture industry in the State. Thus, this measure transfers the aquaculture program from the Department of Agriculture to the Agribusiness Development Corporation.

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. 818 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.

Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Kim, Fevella). Noes, none. Excused, none.

**SCRep. 419 (Joint/Majority) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 1583**

The purpose and intent of this measure is to appropriate funds, contingent upon matching fund availability, to support the Village, an agricultural community and learning center that works to improve food security and sustainability on the Island of Hawaii by offering training for interested parties, food growing, production, and RTE meals.

Your Committees received testimony in support of this measure from the Department of Agriculture; Kohala Mountain Fish Company; Hawaii Fish Company, Inc.; and two individuals.

Your Committees find that the State is committed to enhancing food security in Hawaii and is open to creative proposals for initiatives that may aid in reaching this goal. Your Committees additionally find that food hubs are collaborative work spaces where farmers, ranchers, and other producers can work alongside processors and food manufacturers to create innovative food products and services. The Village is one such proposal that incorporates farming techniques from the Netherlands, which is the second largest exporter of agricultural products in the world, and will act as a food hub for local agricultural workers to collaborate and work together to create products for the State and bring in revenues through exports. This measure appropriates funds as a grant-in-aid to Hawaii County to establish The Village Project.

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. 1583 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, 1 (Awa). Excused, none.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

**SCRep. 420 Labor and Technology on S.B. No. 342**

The purpose and intent of this measure is to require employers to provide:

- (1) A minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care; and
- (2) Supplemental paid sick leave to employees under certain public health emergency conditions.

Your Committee received testimony in support of this measure from Rainbow Family 808; UNITE HERE Local 5; Hawai'i State AFL-CIO; State of Hawaii Organization of Police Officers; Stonewall Caucus of the Democratic Party of Hawai'i; Labor Caucus of the Democratic Party of Hawai'i; Education Caucus of the Democratic Party of Hawai'i; Pride at Work - Hawai'i Chapter; Hawai'i Nurses' Association Office and Professional Employees International Union Local 50; Hawai'i Alliance for Progressive Action; Americans for Democratic Action Hawai'i; Hawaii State Coalition Against Domestic Violence; Hawai'i Children's Action Network Speaks!; International Alliance of Theatrical Stage Employees Local 665; Pono Hawaii Initiative; Hawaii Appleseed Center for Law and Economic Justice; Hawai'i Workers Center; Imua Alliance; Hawaii State Teachers Association; Hawai'i Public Health Institute; Hawaii Teamsters and Allied Workers, Local 996; and sixty-two individuals. Your Committee received testimony in opposition to this measure from the Department of Labor and Industrial Relations, Department of Public Safety, Retail Merchants of Hawaii, and Hawaii Food Manufacturers Association. Your Committee received comments on this measure from the Department of Human Services of the City and County of Honolulu, Hawai'i Restaurant Association, Hawaii Energy Marketers Association, and Hawaii Credit Union League.

Your Committee finds that although Hawaii's Family Leave Law provides four weeks of protected leave for employees of employers with one hundred or more employees for the birth or adoption of the employee's child or care of the employee's child, spouse, reciprocal beneficiary, sibling, grandchild, or parent with a serious health condition, this leave is generally unpaid. Your Committee also finds that although the United States is the only developed nation without a guaranteed paid sick leave policy, Hawaii has led in the area of worker's benefits by being the only state that requires employers to provide health care insurance for their employees. In light of the discussion regarding the effects of the increased benefits proposed by this measure on small businesses and low-income employees, your Committee believes that the creation of a state paid sick leave program is premature and requires more study.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care and supplemental paid sick leave to employees under certain public health emergency conditions;
- (2) Requiring the Department of Labor and Industrial Relations to:
  - (A) Conduct a study on paid sick leave;
  - (B) Consider various federal and state laws on health benefits, temporary disability, and workers compensation with the purpose of providing sick leave to all employees, including the coverage of employers and employees not covered by collective bargaining units;
  - (C) Invite certain and other local businesses and employers that would be affected by a paid sick leave law; and
  - (D) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the Regular Session of 2024;
- (3) Inserting an appropriation of an unspecified amount for the Department of Labor and Industrial Relations to conduct the study on paid sick leave; and
- (4) 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 342, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 342, 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. 421 Labor and Technology on S.B. No. 722**

The purpose and intent of this measure is to:

- (1) Establish the Occupational Safety and Health Special Fund (Special Fund); and
- (2) Direct certain fees to be deposited into the Special Fund.

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 Department of Budget and Finance and one individual.

Your Committee finds that investing in the staff development and training of Hawaii Occupational Safety and Health Division (HIOSH) employees is necessary to recruit, retain, and train employees to provide consultation and enforcement for workplace safety. According to testimony received by the Department of Labor and Industrial Relations, the penalties that HIOSH collects for health and safety violations range from \$1,400,000 to \$2,500,000 per year.

Accordingly, your Committee has amended this measure by:

- (1) Adopting the Department of Labor and Industrial Relation's suggestion to deposit the civil penalties that HIOSH collects for safety and health violations into the Special Fund, instead of the Labor Law Enforcement 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 record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 722, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 722, 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. 422 Labor and Technology on S.B. No. 752**

The purpose and intent of this measure is to:

- (1) Require the Office of Enterprise Technology Services to establish a temporary working group to conduct a study that identifies state office buildings that can allow certain residents, including residents with disabilities, to participate remotely in legislative hearings; and
- (2) Require a report to the Legislature.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Office of Enterprise Technology Services, Hawaii State Council on Developmental Disabilities, Hawaii State Public Library System, Full Life, and one individual. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that this measure promotes equal access to the legislative process to residents throughout the State, particularly residents in rural areas and residents with disabilities. According to testimony received by your Committee, when the Legislature began offering virtual testimony, the Hawaii State Library System, which has fifty-one locations across the State, began offering information and services for patrons to participate in the state legislative process at their local public library. This measure seeks to further encourage greater civic participation from residents of the State who have difficulty with physically accessing the State Capitol.

Your Committee recognizes the concerns of the Office of Information Practices regarding the working group's exemption from part I of chapter 92, Hawaii Revised Statutes, relating to the Sunshine Law. Your Committee notes that during the public hearing on this measure, the Department of Accounting and General Services indicated that the Comptroller is able and willing to identify state resources that can allow certain residents to participate remotely in legislative hearings and report the findings to the Legislature before the Regular Session of 2024.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the Office Enterprise Technology Services to establish a temporary working group to conduct a study;
- (2) Requiring the Comptroller, instead of a working group, to identify state office buildings that can provide equitable telecommunication access to allow certain residents to participate remotely in legislative hearings and report to the Legislature before the Regular Session of 2024;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion;
- (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 and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 752, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 752, 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. 423 (Joint) Labor and Technology and Energy, Economic Development, and Tourism on S.B. No. 1567**

The purpose and intent of this measure is to:

- (1) Authorize the State Board for Career and Technical Education (Board) to cooperate with the Legislature to advise on provisions of all nonfederal funds received that are earmarked for career and technical education;
- (2) Require the Board, in collaboration with the Department of Business, Economic Development, and Tourism and Department of Labor and Industrial Relations, to develop and implement workforce development pathways;
- (3) Require the Board to submit annual reports to the Legislature;
- (4) Amend the membership composition of the Career and Technical Education Coordinating Advisory Council; and
- (5) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Education Caucus of the Democratic Party of Hawai'i, Hawaii State Teachers Association, and Hawai'i Farm Bureau. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Education, Office of Collective Bargaining, and Hawai'i P-20 Partnerships for Education.

Your Committees find that over the past decade, secondary schools across the State have diverted funding from career and technical education to tested subjects. According to testimony received by your Committees, the career and technical education teaching field has one of the highest vacancy fields because the current pay to teach these desired skills is not competitive with industry pay. This

measure will expand the educational and career options for students by increasing state efforts to recruit and retain high quality career and technical education teachers.

Your Committees have heard the testimony of the Office of Collective Bargaining and notes its concerns regarding appropriations for collective bargaining cost items made prior to or during collective bargaining negotiations. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it considers replacing sections 7 and 8 of this measure with the following:

“In accordance with section 89-10, Hawaii Revised Statutes, an agreement may be reached between the employer, as defined in section 89-6, Hawaii Revised Statutes, and the exclusive representative of collective bargaining unit (5) and each public charter school for differential pay increases for career and technical education teachers; provided that the teachers meet the requirements for a standard limited license in career and technical education issued by the Hawaii teacher standards board.”

Your Committees have amended this measure by:

- (1) Incorporating the Department of Education’s recommendation to broaden the application of appropriated funds to all career and technical education teachers;
- (2) Replacing references to “superintendent of education” with the broader term “employer” in the appropriation sections of 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.

Your Committees also urge the Department of Education to consider career and technical education training and recertification options for its teachers.

As affirmed by the records of votes of the members of your Committees on Labor and Technology 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. 1567, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1567, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Labor and Technology: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

**SCRep. 424 Labor and Technology on S.B. No. 1569**

The purpose and intent of this measure is to:

- (1) Establish a temporary Telework Working Group;
- (2) Require interim and final reports to the Legislature; and
- (3) Make an appropriation.

Your Committee received testimony in support of this measure from the Department of Human Resources Development; Office of Planning and Sustainable Development; and Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that telework is an innovative solution that ensures workplace flexibility and holds many benefits for employees, employers, and the public, including a better work-life balance, increased productivity, and possible cost-savings from reduced energy and office space use. Your Committee further finds that modernizing the State’s telework policies will help to improve human services delivery, support employees, and attract more residents to the State’s workforce. This measure will establish a temporary working group to evaluate and address workplace issues in relation to telework, help assess the effectiveness of the telework program guidelines, and identify where improvements are needed so that telework can continue to be used effectively in the State.

Your Committee has amended this measure by:

- (1) Adding to the task force, the Director of the Office of Planning and Sustainable Development and an exclusive representative of state employees participating in the State’s telework program; 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 and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1569, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1569, 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. 425 (Joint) Labor and Technology and Public Safety and Intergovernmental and Military Affairs on S.B. No. 1614**

The purpose and intent of this measure is to:

- (1) Retain institutional, health, and correctional workers except for adult corrections officers of the Department of Public Safety Corrections Division or its successor agency of the Department of Corrections and Rehabilitation under bargaining unit (10); and

- (2) Create a separate bargaining unit (16) for adult corrections officers of the Department of Public Safety Corrections Division or its successor agency.

Your Committees received testimony in support of this measure from United Public Workers, AFSCME Local 646, AFL-CIO and five individuals. Your Committees received testimony in opposition to this measure from the Department of Public Safety and Office of Collective Bargaining. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that adult corrections officers perform a valuable role in the field of public safety to protect the public and support the State's correctional facilities. While employees within the Department of Public Safety correctional facilities perform a variety of roles crucial to daily operations, adult corrections officers have a unique role. Adult corrections officers perform different responsibilities from their counterparts in institutional, health, or other roles suited to bargaining unit (10). Creating a separate bargaining unit (16) will allow the unique concerns and needs of adult corrections officers to be heard.

Your Committees note the testimony of the Office of Collective Bargaining expressing concerns that separating adult corrections officers from bargaining unit (10) may not be necessary as the current collective bargaining agreement addresses changes to wages, hours, and other conditions of work. Additionally, section 61 of the bargaining unit (10) agreement was specifically negotiated for adult and youth correction officers and juvenile detention employees to include work schedules that allow for selection of workdays, days off, and shift selection.

Your Committees additionally note that the Department of Budget and Finance raised concerns regarding the addition of new bargaining units and that such action will create increased administrative costs, administration, negotiation, arbitration, and management.

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 Labor and Technology and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1614, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1614, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Labor and Technology: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 426 (Joint) Labor and Technology and Health and Human Services on S.B. No. 360**

The purpose and intent of this measure is to:

- (1) Require the Department of Labor and Industrial Relations to establish and administer a family leave insurance program;
- (2) Provide family leave insurance benefits and extend the period of family leave to sixteen weeks for businesses that employ one or more employees who meet the hourly qualifications;
- (3) Eliminate the previous threshold of one hundred employees for employers to be subject to the family leave law; and
- (4) Appropriate an unspecified amount of funds.

Your Committees received testimony in support of this measure from Rainbow Family 808.com Inc; Americans for Democratic Action Hawai'i; Labor Caucus of the Democratic Party of Hawai'i; Stonewall Caucus of the Democratic Party of Hawai'i; Women's Caucus of the Democratic Party of Hawai'i; Education Caucus of the Democratic Party of Hawai'i; International Alliance of Theatrical Stage Employees Local 665; Pride at Work – Hawai'i; UNITE HERE Local 5; Hawai'i State AFL-CIO; Hawaii Association for Infant Mental Health; Our Hawaii, Inc.; Hawai'i Nurses' Association, OPEIU Local 50; Obesity Prevention Task Force of the Hawaii Public Health Institute; Hawaii State Teachers Association; Hawai'i Family Caregiver Coalition; Hawai'i Foodbank, Inc.; Hawaii Appleseed Center for Law & Economic Justice; Hawai'i Alliance for Progressive Action; American Association of University Women of Hawaii; Hawai'i Workers Center, Hawai'i State Coalition Against Domestic Violence; Imua Alliance; Hawai'i Children's Action Network Speaks!; Save Medicaid Hawaii; Hawai'i Women Lawyers; and thirty-eight individuals. Your Committees received testimony in opposition to this measure from Hawaii Energy Marketers Association, Chamber of Commerce Hawaii, Society of Human Resource Management Hawaii, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Human Resources Development, Department of Labor and Industrial Relations, Department of the Attorney General, and Department of Human Services.

Your Committees find that although Hawaii's Family Leave Law provides four weeks of protected leave for employees of employers with one hundred or more employees for the birth or adoption of the employee's child or care of the employee's child, spouse, reciprocal beneficiary, sibling, grandchild, or parent with a serious health condition, this leave is generally unpaid. Given the concerns raised by the Department of Labor and Industrial Relations and Department of the Attorney General regarding the implementation of the program as proposed by this measure, your Committees believe that the development of a family leave insurance program in the State requires more study.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have:
  - (A) Required the Department of Labor and Industrial Relations to establish and administer a family leave insurance program;
  - (B) Provided family leave insurance benefits and extended the period of family leave to sixteen weeks for businesses that employ one or more employees who meet the hourly qualifications; and
  - (C) Eliminated the previous threshold of one hundred employees for employers to be subject to the family leave law;

- (2) Inserting language that:
- (A) Requires DLIR to study and submit a report to the Legislature that addresses the development of a family leave insurance program in the State that pays family leave insurance benefits prior to the Regular Session of 2024; and
  - (B) Appropriates an unspecified amount of funds and establishes an unspecified number of positions within DLIR to conduct the study;
- (3) Amending section 1 to reflect its amended purpose;
- (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.

Your Committees suggest that, in its study on the development of a family leave insurance program in the State that pays family leave insurance benefits, DLIR review the Hawaii State Paid Family Leave Analysis Grant Report (November 2017) and the Paid Family Leave Program Impact Study generated in accordance with Act 109, Session Laws of Hawaii 2018. Your Committees also urge DLIR to work with the Department of the Attorney General and the Department of Human Services to address the concerns raised.

Your Committees note that the Senate Draft 1 of this measure contains an unspecified appropriation amount and an unspecified number of positions within DLIR to conduct a study that addresses the development of a family leave insurance program in the State. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it considers inserting language for DLIR to contract out the study in lieu of establishing positions and requiring an actuarial component to the study as recommended by the Department of Budget and Finance.

As affirmed by the records of votes of the members of your Committees on Labor and Technology and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 360, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 360, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 427 (Joint) Labor and Technology and Health and Human Services on S.B. No. 800**

The purpose and intent of this measure is to establish income tax credits for employers who provide their employees with child care.

Your Committees received testimony in support of this measure from the Chamber of Commerce Hawaii and Hawaii Food Industry Association. Your Committees received comments on this measure from the Department of Human Services, Department of Taxation, and Tax Foundation of Hawaii.

Your Committees find that the cost of childcare is typically the second largest expense in a family budget after rent or mortgage. This measure, which incentivizes employers to offer employer-provided or employer-sponsored child care services, including establishing a licensed child care center, and subsidizing the cost of child care, would contribute to the State's overall need for more child care.

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 Labor and Technology and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 800, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 800, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 428 (Joint) Public Safety and Intergovernmental and Military Affairs and Judiciary on S.B. No. 1527**

The purpose and intent of this measure is to:

- (1) Change the governmental entity responsible for the administration of the Address Confidentiality Program from the Office of the Lieutenant Governor to the Department of Law Enforcement, beginning January 1, 2024;
- (2) Authorize the Department of Law Enforcement to contract the services of a third party to administer the Address Confidentiality Program; and
- (3) Appropriate funds for full-time equivalent positions, operating costs, and equipment to support the Department of Law Enforcement's Criminal Justice Data Center in administering the Address Confidentiality Program.

Your Committees received testimony in support of this measure from the Office of the Lieutenant Governor, Department of Law Enforcement, Crime Victim Compensation Commission, Hawai'i State Coalition Against Domestic Violence, and two individuals.

Your Committees find that the Legislature passed Act 115, Session Laws of Hawaii 2018, and Act 274, Session Laws of Hawaii 2019, to create a program to protect the addresses of survivors of domestic abuse, sexual offenses, or stalking from public record. Your

Committees believe that the open nature of the Office of the Lieutenant Governor and the State Capitol creates safety concerns and it is more appropriate to house this program within the Department of Law Enforcement where abusers and stalkers would be deterred from visiting. This measure will keep the physical addresses of survivors of domestic abuse, sexual assault, and stalking confidential by changing the governmental entity responsible for the administration of the Address Confidentiality Program from the Office of the Lieutenant Governor to the Department of Law Enforcement and appropriating funds to support the Department of Law Enforcement in administering the Address Confidentiality Program.

Your Committees have amended this measure by:

- (1) Deleting language that would have authorized the Department of Law Enforcement to contract the services of a third party to administer the Address Confidentiality Program;
- (2) Establishing the Address Confidentiality Program Governance Committee to advise the Department of Law Enforcement on the implementation and operation of the program; 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 and 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. 1527, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1527, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Awa).

Judiciary: Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

**SCRep. 429 (Majority) Transportation and Culture and the Arts on S.B. No. 224**

The purpose and intent of this measure is to:

- (1) Authorize noise control infractions to be processed under the traffic and emergency period infractions adjudication process; and
- (2) Grant the district court concurrent jurisdiction over noise control infractions committed by minors.

Your Committee received testimony in support of this measure from the Honolulu Police Department and the Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that there has been a proliferation of legitimate noise complaints across the State. In particular, noise pollution has grown, especially in urban areas, with noise complaints most prevalent during the late evening or early morning hours. However, presently, there are no ordinances designated as noise control infractions. This measure establishes a means to enforce noise control infractions by expanding the existing adjudication process that is used for traffic and emergency period infractions to ensure peace within Hawaii's communities. Your Committee acknowledges the testimony of the Department of the Prosecuting Attorney of the City and County of Honolulu, which notes that the infractions established by this measure could be effectuated quickly and efficiently. Your Committee therefore requests that your Committee on Judiciary consider this testimony should it decide to hear this measure.

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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 224, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 224, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the President on behalf of the Committee.

Ayes, 3. Noes, 1 (Awa). Excused, 1 (Keohokalole).

**SCRep. 430 Transportation and Culture and the Arts on S.B. No. 822**

The purpose and intent of this measure is to:

- (1) Create a process for the establishment of a creative district;
- (2) Establish a five-year tax credit for creative districts, beginning in taxable years after December 31, 2023;
- (3) Permit counties to enact incentives for creative districts; and
- (4) Require the State Foundation on Culture and the Arts to submit an annual report to the Legislature on creative districts.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts and one individual. Your Committee received comments on this measure from the Creative Industries Division of the Department of Business, Economic Development, and Tourism; Department of Taxation; Office of Information Practices; and Tax Foundation of Hawaii.

Your Committee finds that creative districts are areas designated to encourage economic growth through the development of creative activities within the community. In other states, businesses within designated cultural or creative districts have evolved to improve the quality of life for residents of the area and rejuvenated the community. To stimulate economic development, revitalize communities, and support the artistic and cultural potential of those who live, work, and play within the designated areas, this measure establishes a process to create creative districts and a creative district tax credit.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the advisory committee to give notice pursuant to chapter 91, Hawaii Revised Statutes, and conduct its meetings under chapter 92, Hawaii Revised Statutes;
- (2) Clarifying that taxpayers shall allocate and apportion their taxable income to designate business conducted inside and outside of the creative district; 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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 822, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 822, 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, none. Excused, 1 (Keohokalole).

**SCRep. 431 Transportation and Culture and the Arts on S.B. No. 315**

The purpose and intent of this measure is to:

- (1) Classify certain former military vehicles as special interest vehicles; and
- (2) Enable owners of former military vehicles to apply for registration.

Your Committee received testimony in opposition to this measure from the Department of Transportation. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that the counties had previously allowed former military vehicles to be registered with their respective departments of motor vehicles; however, residents are now prohibited from registering their former military vehicles. Your Committee further finds that residents use former military vehicles to safely transport large groups of people over rough terrain that requires a vehicle with four-wheel drive. Additionally, there are several states that currently permit the titling and registration of former military vehicles, as long as the vehicles satisfy the Federal Motor Vehicle Safety Standards. Therefore, this measure will classify certain former military vehicles as special interest vehicles and enable owners of former military vehicles to apply for registration.

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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 315, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 315, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the President on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

**SCRep. 432 (Majority) Transportation and Culture and the Arts on S.B. No. 15**

The purpose and intent of this measure is to authorize the Director of Transportation to adopt rules that regulate and limit noise from vessels at harbors, ports, roadsteads, docks, wharves, piers, quays, bulkheads, and landings of the State.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from Matson Navigation Company, Inc. and Hawaii Harbor Users Group.

Your Committee finds that as working harbors, many of the State's harbors produce large amounts of noise. While the Department of Transportation has the authority to adopt rules regulating the manner in which vessels may enter and moor, anchor, or dock in commercial harbors, ports, and roadsteads, this authority does not allow the Department of Transportation to adopt rules to regulate excessive and harmful noises emanating from these vessels. To alleviate the concerns of individuals affected by the noise from state harbors, this measure authorizes the Department of Transportation to adopt rules to regulate and limit noise from vessels at state-owned harbors.

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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 15, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 15, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the President on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Keohokalole).

**SCRep. 433 Transportation and Culture and the Arts on S.B. No. 969**

The purpose and intent of this measure is to:

- (1) Establish that noise generated by helicopters in excess of a certain decibel level constitutes a public nuisance and a source of noise pollution in violation of the State's noise pollution law;
- (2) Establish fines and a private right of action for individuals to sue helicopter owners and operators for committing a public nuisance; and
- (3) Establish exceptions.



Your Committee received testimony in support of this measure from the Department of Transportation, one member of Hawaii's congressional delegation, and four individuals. Your Committee received testimony in opposition to this measure from Jack Harter Helicopters, Helicopter Association International, and AOPA. Your Committee received comments on this measure from the Department of Health, Department of the Attorney General, and one individual.

Your Committee finds that the volume and extent of tour helicopters and small aircraft operating in the State have rapidly increased in the past decade. This increase in helicopter and small aircraft tours have also increased disruptions through noise and vibrations, affecting residential, business, and industrial communities; state and national parks; cemeteries and areas of solemnity; and areas of critical infrastructure. This measure establishes that helicopter noise in excess of a certain decibel level is a public nuisance.

Your Committee notes the testimony of the Department of the Attorney General, which raises concerns that this measure could be federally preempted by the Federal Aviation Act. Your Committee requests that your Committee on Judiciary, should it choose to deliberate on this measure, further examine this issue and concerns raised by the Department of the Attorney General on this measure.

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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 969, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 969, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the President on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

**SCRep. 434      Transportation and Culture and the Arts on S.B. No. 844**

The purpose and intent of this measure is to authorize the issuance of special number plates to commemorate Malama Puuloa.

Your Committee received testimony in support of this measure from Hui o Ho'ohonua, Hawaii Bicycling League, and four individuals.

Your Committee finds that Keawalaupuuloa, also known as Puuloa or Pearl Harbor, is a place of cultural significance and now exemplifies the power of positive, community-led change. First settled around 400 A.D., Puuloa's ancient settlements near present-day Honouliuli, also known as West Loch, represent the first and oldest settlements on the island of Oahu. Puuloa was an abundant water resource that contained at least thirty loko ia, traditional Hawaiian fishponds, and loi kalo, patches of land for taro cultivation. Your Committee also finds that Puuloa's aquatic resources have been exposed and contaminated with harmful chemicals and materials such as mercury, PCBs, dioxins, pesticides, microplastics, and lead. Many toxins present in Puuloa persist in the environment for significant periods of time, bioaccumulating in the wildlife and plants in the surrounding areas.

Your Committee further finds that Hui o Ho'ohonua, a 501(c)3 nonprofit organization established in 2015, has a mission to restore Puuloa to abundance. Through a community-driven approach such as workdays, education, and partnerships with the community, Malama Puuloa focuses on rebuilding relationships between people and the land to heal impacted waters and land. To recognize Malama Puuloa's contributions to natural resource management, perpetuation of Native Hawaiian culture, and environmentalism, this measure authorizes the issuance of special number plates to recognize and honor Malama Puuloa.

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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 844, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 844, 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, none. Excused, 1 (Keohokalole).

**SCRep. 435      (Joint/Majority) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.B. No. 498**

The purpose and intent of this measure is to:

- (1) Establish the Shipping Container Inspection Program and Shipping Container Inspection Program Special Fund;
- (2) Increase the maximum fine for each violation of the fireworks law; and
- (3) Require the Department of Public Safety to submit reports to the Legislature on implementation of the Shipping Container Inspection Program.

Your Committees received testimony in support of this measure from the Department of Law Enforcement, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaiian Humane Society, Poi Dogs & Popoki, and eleven 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 the Attorney General; Department of Transportation; Hawaii Harbors; Young Brothers, LLC; and Matson Navigation Company, Inc.

Your Committees find that to address the problem of illegal fireworks, Act 170, Session Laws of Hawaii 2010, established the 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. One recommendation called for increasing random inspections for illegal fireworks by expanding inspection authority and focusing cargo inspections to be more manageable. Pursuant to Act 184, Session Laws of Hawaii 2019, the Legislative Reference Bureau updated its 2011 "Report of the Illegal Fireworks Task Force to the Legislature for the Regular Session of 2011", concurring that the "issues and challenges presented by the Task Force in its 2011 report remain relevant today". To address

the ongoing prevalence of illegal fireworks in Hawaii's communities, establishing a Shipping Container Inspection Program may prevent the widespread proliferation of illegal fireworks in the State.

Your Committees have amended this measure by:

- (1) Deleting language that would have increased the fees for each shipping container arriving in the State beginning July 1, 2024;
- (2) Requiring offsite shipping containers to be conducted at the final container drop-off location or a non-active harbor area within twenty-four hours of initial arrival;
- (3) Requiring a law enforcement agency to investigate in the event that contraband is discovered during a shipping container inspection;
- (4) Establishing an unspecified fine amount for any person who tampers with secure container seals;
- (5) Inserting an appropriation of \$1,000,000 out of the general fund to establish and administer the Shipping Container Inspection Program, including the purchase, care, and handling of at least two explosive-sniffing dogs;
- (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 Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 498, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 498, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the President and Chair on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Keohokalole).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 436      Transportation and Culture and the Arts on S.B. No. 824**

The purpose and intent of this measure is to require commodities and manifested cargo requiring tug assistance to be manned by an existing, operational stevedoring company that is operating within the State.

Your Committee received testimony in support of this measure from Hawaii Stevedores Inc. and seventy-six individuals. Your Committee received testimony in opposition to this measure from Hawaiian Cement. Your Committee received comments on this measure from the Department of the Attorney General and Department of Transportation.

Your Committee finds that as the most remote island chain in the world, tugs are vital to Hawaii's shipping industry. To secure shipping vessels to wharves, mooring lines are thrown over the bollard, which are then secured by certified longshore linespersons to safely secure the bulkhead. However, presently, there is no requirement for any out-of-state company to utilize trained local longshore linespersons to secure operational vessels. Additionally, all stevedoring companies operating within the state harbor system are required to be certified and periodically recertified to follow all health and safety guidelines. Stevedoring companies are also well-versed in the uniqueness of each state harbor's challenges pertaining to the loading and landing of merchandise. Therefore, requiring all commodities and manifested cargo requiring tug assistance to be manned by a stevedoring company operating in the State will allow a vital function of the State to continue while also keeping crews safe.

Your Committee notes the testimony of the Department of Transportation regarding the regulation of activity. As the intent of this measure focuses on the regulation of labor rather than a regulation of facilities, the Department of Transportation recommends placing the proposed changes in an appropriate chapter of the Hawaii Revised Statutes that controls labor.

Your Committee has amended this measure by:

- (1) Inserting language that authorizes an unspecified department to regulate labor required to provide stevedoring services to load and unload commodities and manifested cargo from a vessel requiring tug assistance from any harbor facility owned and controlled by the Department of Transportation;
- (2) Amending the bill to clarify that the securing of mooring lines from vessels to the commercial docks, wharves, piers, quays, bulkheads and landings shall be performed by a stevedoring company, as defined in this measure;
- (3) Clarifying the definition of "stevedoring company" to more clearly reference the specific mooring activities performed by such companies; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 824, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 824, 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, none. Excused, 1 (Elefante).

**SCRep. 437      Transportation and Culture and the Arts on S.B. No. 479**

The purpose and intent of this measure is to remove the requirement that common water carriers receive permission from the Public Utilities Commission before executing a long-term lease of more than three years or a leverage lease.

Your Committee received testimony in support of this measure from Matson Navigation Company, Inc.; Hawaii Harbor Users Group; and Young Brothers, LLC. Your Committee received testimony in opposition to this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that as an island state, Hawaii is dependent upon the commercial harbor system to ensure continued and unimpeded flow of cargo in and out of the State. As ninety percent of Hawaii's imported goods pass through commercial harbors, including consumer goods, motor vehicles, construction materials, and fuel, it is crucial that the State support dependable and efficient cargo transportation, including water carriers, to service residents and businesses in a timely manner. However, current requirements unduly necessitate additional regulatory approval processes, which may impede a water carrier's ability to timely secure equipment or property needed to serve its customers. By ensuring that current approval processes are streamlined, water carriers can better serve Hawaii's communities.

Your Committee has amended this measure by:

- (1) Specifying that a common water carrier may, only upon approval by the Public Utilities Commission, enter into long-term leases of more than five years and leverage leases for waterborne vessels;
- (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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 479, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 479, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the President on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 438 (Majority) Transportation and Culture and the Arts on S.B. No. 1504**

The purpose and intent of this measure is to:

- (1) Establish a Museum of Modern Hawaii History;
- (2) Establish a task force to prepare the plans, specifications, and designs for the construction of the Museum of Modern Hawaii History; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and State Foundation on Culture and the Arts. Your Committee received comments on this measure from the Department of Budget and Finance, Judiciary, and Bishop Museum.

Your Committee finds that the Bernice Pauahi Bishop Museum generally covers pre-contact and early Hawaiian history, while Iolani Palace covers the Hawaiian monarchy and overthrow period. However, the State has much to celebrate and share since the early twentieth century. As the State made significant national and international impacts that were not preserved and exhibited, including the history of World War II, statehood, and groundbreaking political moments, this measure establishes a Museum of Modern Hawaii History to share Hawaii's recent achievements with the rest of the world.

Your Committee has amended this measure by:

- (1) Amending legislative findings;
- (2) Clarifying the purpose of the Museum of Modern Hawaii History;
- (3) Deleting language that would have established a Modern Hawaii History Special Fund;
- (4) Amending the Museum of Modern Hawaii Task Force's scope and responsibilities;
- (5) Amending the composition of the Museum of Modern Hawaii Task Force to include:
  - (A) Any representative of the University of Hawaii, rather than a representative of the University of Hawaii Board of Regents;
  - (B) The Chief Justice, or their designee, to represent the King Kamehameha V Judiciary History Center; and
  - (C) Other stakeholders recommended by the chairperson;
- (6) Deleting the Museum of Modern Hawaii Task Force dissolution date;
- (7) Deleting an appropriation of \$250,000 into and out of the Modern Hawaii Special Fund;
- (8) Inserting an unspecified appropriation amount of general funds for the administration of the task force;
- (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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1504, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1504, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the President on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Keohokalole).

**SCRep. 439      Transportation and Culture and the Arts on S.B. No. 1120**

The purpose and intent of this measure is to:

- (1) Require the State Art Museum to provide opportunities for the counties and private organizations located in Hawaii to display art through loan arrangements with the State Foundation on Culture and the Arts under the Arts in Public Places Program;
- (2) Provide that artists who reside in Hawaii receive selection preference for the Arts in Public Places Program; and
- (3) Require a report to the Legislature.

Your Committee received comments on this measure from the State Foundation on Culture and the Arts.

Your Committee finds that the percent-for-art law was created in 1967 based on the intrinsic relationship between art and architecture, where art is included as an essential part of the architectural plan by providing access and education to Hawaii's people. Presently, statewide program operations include acquisition and distribution of works of art, conservation of an exterior public art collection, interpretation of the collection, and recognition of student artwork. This measure requires the State Foundation on Culture and the Arts to provide opportunities for an art loan program, with preference to artists who reside in Hawaii, to continue the State Foundation on Culture and the Arts' important mission to promote art through education and access.

Your Committee has amended this measure by:

- (1) Clarifying that art loans to a non-museum or public institution may be subject to a fee to be determined by the State Foundation on Culture and the Arts; 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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1120, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1120, 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, none. Excused, 1 (Keohokalole).

**SCRep. 440      Transportation and Culture and the Arts on S.B. No. 1532**

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Leadership Award Program to honor individuals who have made considerable and outstanding contributions to Hawaii and serve as inspirations to others; and
- (2) Appropriate funds.

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 Aloha Order of Merit was established to recognize national or international achievement in a field either by a single event or by the totality of work that has either been pioneering in that field or that has been outstanding in the long term. Innovators in various fields, from athletics to politics, art and music to science, have placed Hawaii in the international spotlight. To recognize and honor individuals who made considerable and outstanding contributions to the State, this measure establishes the Hawaii Leadership Award Program.

Your Committee has amended this measure by:

- (1) Renaming the Hawaii Leadership Award Program to the Hawaii Leadership Awards Program;
- (2) Clarifying the awards under the Hawaii Leadership Awards Program shall be presented annually;
- (3) Adding the Lieutenant Governor as a presenting member of the Hawaii Leadership Awards Program alongside the Governor and members of the Hawaii Leadership Awards Selection Committee;
- (4) Clarifying that no individual may receive more than one award each year nor more than one award in each category;
- (5) Inserting a blank appropriation amount;
- (6) Amending section 1 to reflect its amended purpose; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the Senate Draft 1 of this measure contains an unspecified appropriation amount, and respectfully requests that your Committee on Ways and Means considers inserting an appropriation amount of \$200,000.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1532, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1532, 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, none. Excused, 1 (Keohokalole).

**SCRep. 441 Transportation and Culture and the Arts on S.B. No. 1037**

The purpose and intent of this measure is to designate Limu Kala (*Sargassum echinocarpum*) as the official Hawaii state limu.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Mālama Pūpūkea-Waimea; Kua'āina Ulu 'Auamo; Mālama Limu Club of Kamehameha Schools Kapalāma High School; Ocean Era, Inc.; Kauhakō Ohana Association; and fourteen individuals.

Your Committee finds that limu holds ecological and cultural significance to the State. Limu kala grows in the nearshore ecosystem and is abundant seasonally in many intertidal and subtidal habitats, including tidepools and reef flats in areas with moderate to high wave action. Limu kala is a critically important component of a healthy and productive reef ecosystem, and is a culturally significant food source in Native Hawaiian culture. Therefore, recognizing the significance of limu kala allows cultural knowledge to be shared across generations and around the world. To recognize the importance of limu kala in various scientific and cultural aspects, this measure designates limu kala as the official limu of 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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1037, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1037, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the President on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

**SCRep. 442 Transportation and Culture and the Arts on S.B. No. 493**

The purpose and intent of this measure is to:

- (1) Provide that no new vehicle needs a safety inspection until five years after the date the vehicle was first sold, unless the vehicle was modified;
- (2) Require a two-year motor vehicle safety check for vehicles ten years of age but older than five years, unless the vehicle was modified;
- (3) Require an annual motor vehicle safety check for vehicles older than ten years of age or any vehicle that has been modified; and
- (4) Double the inspection fee for the two-year motor vehicles inspections safety check.

Your Committee received testimony in support of this measure from three individuals.

Your Committee finds that to optimize the effectiveness of highway safety programs, the National Highway Safety Traffic Safety Administration recommends that each state have a program for periodic safety inspections of all motor vehicles. Motor vehicle safety inspections are intended to reduce the number of vehicles with existing or potential conditions that may contribute to crashes or increase the severity of crashes that do occur. Creating oversight is imperative to ensure motor vehicles are kept in good working order to prevent danger to the driver, occupants of the vehicle, or any other individual on the roadway.

However, your Committee notes that decreased availability of safety inspectors, compounded by the increasingly limited number of hours offered to the public to receive safety check inspections, has caused annual motor vehicle hardship on residents, particularly those living in rural areas. By amending the requirements for motor vehicle safety inspections, the State can maintain high vehicle safety standards while addressing the needs of safety inspectors and drivers.

Your Committee has amended this measure by:

- (1) Deleting language that would have amended annual safety check requirements for certain vehicles;
- (2) Establishing a three-year pilot program to:
  - (A) Provide new vehicles with a three-year grace period and electric vehicles with a two-year grace period before requiring annual safety inspections; and
  - (B) Require electric vehicles participating in a road usage charge program shall pay the road usage charge fee based on a self-reported photo odometer reading;
- (3) Amending section 1 to reflect its amended purpose;
- (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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 493, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 493, 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. 443      Transportation and Culture and the Arts on S.B. No. 382**

The purpose and intent of this measure is to prohibit motor vehicle manufacturers from charging subscription fees for services that employ equipment already installed in the motor vehicle at the time of sale as a new motor vehicle.

Your Committee received testimony in opposition to this measure from Alliance for Automotive Innovation. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Tesla.

Your Committee finds that motor vehicle manufacturers have begun charging subscription fees for consumers to use certain features in their vehicles, including remote locking, remote ignition, and automatic high-beam headlights. The implementation of subscription fees is one of various factors contributing to the increase in transportation costs for residents.

Your Committee further finds that certain automobile manufacturers, such as BMW, charge consumers \$18 per month for features initially included with the vehicle such as heated seats. To ensure consumers have full access to features included with their new vehicle purchases, this measure prohibits motor vehicle manufacturers from charging subscription fees for certain services that employ equipment already installed in the motor vehicle at the time of sale as a new motor vehicle.

Your Committee has amended this measure by:

- (1) Clarifying that the prohibition shall not apply to entertainment streaming subscriptions and vehicle navigation;
- (2) Amending section 1 to reflect its amended purpose; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 382, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 382, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the President on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 444      (Majority) Transportation and Culture and the Arts on S.B. No. 1534**

The purpose and intent of this measure is to:

- (1) Replace the \$50 annual vehicle registration surcharge for electric vehicles with a capped mileage-based road user fee for electric vehicles;
- (2) Establish the Hawaii Highway Safety and Modernization Council and repeal the State Highway Safety Council, effective July 1, 2023; and
- (3) Provide that implementation of user fees take effect January 1, 2025.

Your Committee received testimony in support of this measure from the Ulupono Initiative. 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, Tax Foundation of Hawaii, and Tesla.

Your Committee finds that as fuel tax revenues decrease, the Department of Transportation recommends the adoption of a per-mile road usage charge system to provide sustainable funding for the State's road infrastructure. With the existing vehicle inspection program, the State can transition to a per-mile road usage charge system while also considering a replacement for the surcharge on electric vehicles. Additionally, increased support for fuel-efficient electric and alternative fuel vehicles may drive the shift to fees based on vehicle miles traveled to ensure fairness to all drivers in the State. To ensure an appropriate approach to transportation is utilized, the State should pursue a concerted strategy to enable commuters to reduce overall vehicle miles traveled while providing commuters who do not drive with more affordable options to improve outcomes and reduce the number of cars on the road, traffic, and costs.

Your Committee notes that, before the Department of Transportation implements a mileage-based user fee, the \$50 surcharge on electric vehicles will remain in effect. However, after the implementation of a mileage-based user fee, the \$50 surcharge on electric vehicles will be replaced with the mileage-based user fee. Your Committee emphasizes that Hawaii drivers operating an electric motor vehicle will not pay two fees upon implementation of the mileage-based user fee.

Your Committee has amended this measure by:

- (1) Deleting the contents of section 2 and inserting the contents of H.B. No. 1110, section 2, a substantially similar measure, which:
  - (A) Establishes a state mileage-based road usage charge;
  - (B) Requires annual payment of the mileage-based road usage charge following the vehicle's most recent inspection;
  - (C) Provides exemptions for certain vehicles;
  - (D) Offers owners of electric vehicles the choice to pay a \$70 registration surcharge in lieu of the state mileage-based road usage charge until June 30, 2028;

- (E) Requires the Department of Transportation to develop a long-term mileage-based road usage charge implementation plan by December 31, 2023; and
- (F) Authorizes the Department of Transportation to develop rules to implement the mileage-based road usage charge;
- (2) Requiring the Department of Transportation to adopt a phased implementation approach to offer greater flexibility to the Department to implement the mileage-based road user fee;
- (3) Amending the composition of the Hawaii Highway Safety and Modernization Council to include the Deputy Director of Transportation for Highways;
- (4) Narrowing the Hawaii Highway Safety and Modernization Council's scope to focus on the development of goals, metrics, benchmarks, and strategies to reduce the cost of transportation and vehicle miles traveled;
- (5) Requiring the Hawaii Highway Safety and Modernization Council to also advise the Governor on matters relating to the programs and activities of the State in the field of highway safety; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1534, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1534, 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 (Awa). Excused, none.

**SCRep. 445 (Majority) Transportation and Culture and the Arts on S.B. No. 973**

The purpose and intent of this measure is to require lessors of rental motor vehicles to incorporate zero-emission vehicles or plug-in hybrid electric vehicles, or both, into the lessor's rental motor vehicle fleets.

Your Committee received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaptation Commission, Ulupono Initiative, Kauai Climate Action Coalition, Chamber of Sustainable Commerce, Blue Planet Foundation, 350Hawaii.org, and thirteen individuals. Your Committee received testimony in opposition to this measure from Avis Budget Group and Enterprise Holdings. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that many major vehicle manufacturers are planning to phase out the sale of new fossil fuel vehicles by 2035. However, rental fleets in Hawaii will be unable to adapt unless sufficient electric vehicle charging infrastructure is available at rental hubs and destinations. Transitioning rental motor vehicle fleets to zero-emission vehicles will reduce carbon emissions and increase the number of zero-emission vehicles entering the secondary market, making clean electric vehicles more affordable and lowering the cost of transportation for residents.

Your Committee has amended this measure by:

- (1) Deleting language that would have required lessors of rental motor vehicles to incorporate zero-emission vehicles or plug-in hybrid electric vehicles, or both, into the lessor's rental motor vehicle fleets;
- (2) Inserting language that requires rental car companies using state facilities to pay or reimburse the State to install new or utilize existing electric vehicle charging infrastructure at public facilities beginning January 1, 2028;
- (3) Establishing a task force to determine implementation of electric vehicle charging infrastructure to support one hundred per cent electric vehicle rental fleets in the State by 2035;
- (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 record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 973, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 973, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the President on behalf of the Committee.

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

**SCRep. 446 (Joint/Majority) Transportation and Culture and the Arts and Energy, Economic Development, and Tourism on S.B. No. 1497**

The purpose and intent of this measure is to:

- (1) Establish the Highways Clean Energy Technology Pilot Program within the Department of Transportation;
- (2) Require a report to the Legislature; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Transportation and one individual.

Your Committees find that the State has an opportunity to generate renewable energy using lands in the state highways rights-of-way. Other jurisdictions across the county successfully and safely deployed solar power by installing solar panels in shoulders and medians to generate clean energy. This measure establishes a Highways Clean Energy Technology Pilot Program to contribute to the achievement of the State's clean energy goals, while also achieving energy security and resilience in rural communities.

Your Committees have 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 records of votes of the members of your Committees on Transportation and Culture and the Arts 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. 1497, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1497, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the President and Chair on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Keohokalole).

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 447 (Joint/Majority) Transportation and Culture and the Arts and Energy, Economic Development, and Tourism on S.B. No. 449**

The purpose and intent of this measure is to appropriate funds to the Department of Business, Economic Development, and Tourism for the Commission on the Thirteenth Festival of Pacific Arts and Culture to plan for the Festival of Pacific Arts and Culture to be held in Honolulu from June 6 to June 16, 2024.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawai'i Tourism Authority; State Foundation on Culture and the Arts; Commission on the Thirteenth Festival of Pacific Arts & Culture; Hawai'i Lodging & Tourism Association; and two individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the Festival of Pacific Arts and Culture is an event that brings together a delegation of over two-thousand artists, performers, and cultural practitioners from twenty-seven different nations in Oceania, in order to preserve and perpetuate the arts and cultures of their indigenous peoples. Additionally, it is an event that has been held approximately every four years since its creation in 1972. In 2016, Hawaii won its bid to host the thirteenth Festival of Pacific Arts. However, the onset of the coronavirus disease 2019 (COVID-19) pandemic canceled the original festival scheduled for 2020. Hawaii is now scheduled to host the Thirteenth Festival of Pacific Arts and Culture from June 6th, 2024, to June 16th, 2024. Therefore, with the world emerging from the COVID-19 pandemic and Hawaii getting a second chance to host the Festival of Pacific Arts and Culture event, this measure will appropriate funds to the Department of Business, Economic Development, and Tourism for the Commission on the Thirteenth Festival of Pacific Arts and Culture to plan for the Festival of Pacific Arts and Culture.

Your Committees have amended this measure by:

- (1) Correcting the name of the Thirteenth Festival of Pacific Arts to the Thirteenth Festival of Pacific Arts and Culture;
- (2) Inserting a blank appropriation amount; 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 Transportation and Culture and the Arts 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. 449, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 449, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the President and Chair on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Keohokalole).

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 448 (Majority) Health and Human Services on S.B. No. 762**

The purpose and intent of this measure is to require the Department of Health to:

- (1) Adopt rules to regulate water catchment systems for business activities;
- (2) Allow business owners to participate in the Department's annual water testing program under certain conditions; and
- (3) Establish a nonregulatory program that provides technical assistance to business owners who wish to utilize filtered water from a water catchment system.

Your Committee received testimony in support of this measure from Hawaii Tropical Fruit Growers; Kuahiwi Ranch, LLC; and two individuals. Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that the effects of the recent high-profile leaks of petroleum and other chemicals at the Red Hill Bulk Fuel Storage Facility and the raw wastewater spill at the Ewa Beach Wastewater Pump Station underscore the fragility of the State's water system, thereby emphasizing the need to pursue innovative solutions to decrease use of the State's limited aquifers. Your Committee also finds that water catchment systems capture rainwater that can be utilized to supplement potable water systems. Your Committee further finds that the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources has published guidelines that outline a safe process for utilizing water captured for personal use that can be appropriately applied to activities under certain



regulatory conditions. Existing law allows captured water to be used for personal purposes only, thereby requiring small businesses in underserved rural areas, including agricultural production and processing businesses, to pay hourly fees to use a commercial kitchen or buy county water and have it delivered by truck, which costs approximately \$250 for a half tank. This measure will provide business owners more flexibility in accessing water by allowing them to safely use filtered water from a water catchment system for business activities.

Your Committee acknowledges the concerns raised by the Department of Health, including the rigorous and costly barrier treatments that business owners may need to implement to utilize filtered water from a water catchment system for business activities; types of business activities that would be subject to this measure; possible conflicts between the authority of the State and counties in enforcing plumbing codes applicable to the water catchment systems; and the feasibility in providing water testing support that is intended to assist residents with lead and copper testing at residential dwellings to business activities. However, given the recent incidents at the Red Hill Bulk Fuel Storage Facility and Ewa Beach Wastewater Pump Station that endangered the health and safety of the people in the State, your Committee finds that the State should at least consider alternative options that give business owners access to water resources that do not rely on the State's limited aquifers.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting language that:
  - (A) Creates a Business Activity Water Catchment System Working Group within the Department of Health to assess the feasibility of allowing business owners in the State to utilize filtered water collected by water catchment systems for business activities;
  - (B) Requires the working group to report its findings and recommendations to the Legislature before the Regular Session of 2025; and
  - (C) Requires the working group to dissolve on June 30, 2025;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Amending section 1 to reflect its amended purpose.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 762, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 762, 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 (Awa). Excused, none.

**SCRep. 449 Health and Human Services on S.B. No. 857**

The purpose and intent of this measure is to authorize manufacturers of investigational drugs or biological products to make available their drugs and products to eligible terminally ill patients under certain conditions.

Your Committee received testimony in support of this measure from four individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that terminally ill patients do not have access to potentially lifesaving investigational drugs or biological products awaiting final approval by the United States Food and Drug Administration. For this reason, the federal government and forty-one states have enacted "right-to-try" legislation that makes available experimental drugs and products that have not received Food and Drug Administration approval to terminally ill patients with no other medication or treatment options. With this measure, Hawaii would join the vast majority of the nation in granting terminally ill patients access to potentially lifesaving investigational drugs and biological products.

Your Committee notes the testimony submitted by the Department of Health recommending data collection to determine the efficacy of a "right-to-try" system based on voluntary participation, in particular a system that involves for-profit entities incorporated outside of the State. Your Committee therefore requests that manufacturers of investigational drugs and biological products that make their drugs and products available pursuant to this measure share applicable data with the Department of Health to assess the "right-to-try" system's efficacy.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 857, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 857, 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. 450 (Majority) Health and Human Services on S.B. No. 627**

The purpose and intent of this measure is to authorize 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 Vote Mama Foundation, Hawaii Children's Action Network Speaks!, and one individual.

Your Committee finds that the State has shown promise regarding the representation of mothers of young children holding elected office. Presently, 6.58 percent of legislative members in the State are mothers with minor children. As running for office takes considerable time and resources outside of the full-time work week, parents with young children face greater challenges when balancing campaign activities and childcare. This measure authorizes candidates seeking election to use campaign funds for childcare and vital household dependent care costs, under certain conditions, to provide greater access and participation in the political campaign process.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 627 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 (Awa). Excused, none.

**SCRep. 451 Health and Human Services on S.B. No. 609**

The purpose and intent of this measure is to require health insurance policies and contracts issued on or after January 1, 2024, 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 Disability and Communication Access Board, Democratic Party of Hawai'i Kūpuna Caucus, and five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund, and Hawaii Medical Service Association.

Your Committee finds that hearing is one of the most important senses upon which an individual depends for communication. However, many health insurance companies have inconsistent coverage for hearing aids and federal Medicare coverage is very limited, resulting in 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 and ultimately lose their ability to attend work or school, earn income, and engage with 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 reported the need to have 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 notes that the \$1,500 minimum coverage amount was originally requested by the Deaf and Blind Task Force as appropriate. However, your Committee also acknowledges the concern raised by the Hawaii Employer-Union Health Benefits Trust Fund (EUTF) that the application of such coverage across all EUTF medical plans will add \$2,500,000 annually in claims to the EUTF plans and increase the unfunded liability by \$37,100,000. Your Committee also notes concerns raised by the Hawaii Medical Service Association that this measure may not cover its intended population, since Medicare plans are preempted by federal law from any state mandated coverage. Your Committee finds that these issues raise concerns that merit further consideration and requests that your Committees on Commerce and Consumer Protection and Ways and Means further examine them.

Accordingly, your Committee has amended this measure by:

- (1) Replacing the minimum insurance benefit amount of \$1,500 per hearing aid with a blank amount;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 609, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 609, 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. 452 Health and Human Services on S.B. No. 442**

The purpose and intent of this measure is to amend the Our Care, Our Choice Act to:

- (1) Authorize advanced practice registered nurses to practice medical aid in dying in accordance with their scope of practice and prescribing authority;
- (2) Authorize psychiatric mental health nurse practitioners to provide counseling to a qualified patient;
- (3) Reduce the mandatory waiting period between oral requests from twenty days to five days; and
- (4) Waive the mandatory waiting period for terminally ill individuals not expected to survive the mandatory waiting period.

Your Committee received testimony in support of this measure from the Board of Nursing, Policy Advisory Board for Elder Affairs, Compassion & Choices, Hawai'i Association of Professional Nurses, Hawai'i Pacific Health, Hawai'i – American Nurses Association, Kūpuna Caucus of the Democratic Party of Hawai'i, Hawai'i Psychological Association, Hawaii Society of Clinical Oncology, Kokua Council, and fifteen individuals. Your Committee received testimony in opposition to this measure from the Hawaii Family Forum and twenty individuals. Your Committee received comments on this measure from the Hawai'i State Center for Nursing and Hawaii Medical Association.

Your Committee finds that the Our Care, Our Choice Act allows certain terminally ill individuals to receive prescription medication to allow them to die in a peaceful, humane, and dignified manner. However, many individuals in the State have trouble accessing this compassionate care. Particularly, Hawaii's physician shortage presents a barrier to individuals living in rural areas, and the State's mandatory waiting periods are the longest in the nation among states that have enacted medical-aid-in-dying laws. To address these barriers to accessing compassionate care, this measure amends the Our Care, Our Choice Act to authorize additional medical practitioners to facilitate medical aid in dying and reduce mandatory waiting periods.

Your Committee has amended this measure by:

- (1) Inserting language requiring the patient's attending provider to assess for the possibility of coercion or undue influence by another individual prior to any waiver of the five-day waiting period;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 442, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 442, 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 (Shimabukuro, Awa).

**SCRep. 453 Health and Human Services on S.B. No. 673**

The purpose and intent of this measure is to require health care facilities to allow terminally ill patients to use medical cannabis under certain conditions.

Your Committee received testimony in support of this measure from the Drug Policy Forum of Hawai'i; Cannabis Nurses Network; Marijuana Policy Project; Hawai'i Cannabis Industry Association; Aloha Green Holdings, Inc.; Noa Botanicals; and eight individuals. Your Committee received testimony in opposition to this measure from the Healthcare Association of Hawaii. Your Committee received comments on this measure from the Department of Public Safety and the Department of the Attorney General.

Your Committee finds that despite the State's legalization of cannabis for medical use, patients in health care facilities are prohibited from taking medical cannabis as part of their treatment plans. Medical cannabis has the potential to relieve pain, increase appetite, and reduce anxiety and can be used as an alternate or complementary treatment option for certain medications. Compared to other pain relief medications that may place patients in a semi-comatose state, medical cannabis allows patients to remain conscious, enabling terminally ill patients to spend more of their limited time awake and with family and friends. To facilitate compassionate care within health care facilities, this measure requires health care facilities to allow terminally ill patients to use medical cannabis.

Your Committee further finds that, according to testimony submitted by the Department of the Attorney General, amendments to this measure are necessary to address the federal prohibition on cannabis use. Additionally, testimony submitted by the Department of Public Safety noting the everyday challenge of medication diversion for incarcerated individuals warrants the exclusion of correctional facility health care programs from this measure's definition of "health care facility".

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that a health care facility may, but is not required to, allow terminally ill patients to use medical cannabis;
- (2) Clarifying that a health care facility that allows terminally ill patients to use medical cannabis may, but is not required to, adopt and disseminate a medical cannabis policy or written guidelines for the use of medical cannabis by patients;
- (3) Excluding health care programs within jails and prisons from the definition of "health care facility";
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 673, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 673, 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, Shimabukuro).

**SCRep. 454 Health and Human Services on S.B. No. 672**

The purpose and intent of this measure is to:

- (1) Repeal language that gives the Director of Finance discretion to use moneys in the Hawaii ABLE Savings Program Trust Fund if the Director elects to accept deposits from contributors instead of sending deposits directly to the ABLE Program Manager;
- (2) Authorize the Director of Finance to expend moneys in the Hawaii ABLE Savings Program Trust Fund to provide incentive payments to Hawaii public school ABLE account owners;
- (3) Appropriate an unspecified amount of funds to the Hawaii ABLE Savings Program Trust Fund;
- (4) Appropriate an unspecified amount of funds out of the Hawaii ABLE Savings Program Trust Fund to provide for incentive payments; and

- (5) Appropriate an unspecified amount of funds out of the Hawaii ABLE Savings Program Trust Fund to be expended by the Director of Finance to fund one full-time equivalent (1.00 FTE) permanent position to provide statewide outreach, advocacy, and relationship management for the Hawaii ABLE Savings Program.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Executive Office on Aging, Disability and Communication Access Board, Hawaii Disability Rights Center, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii ABLE Savings Program is a program that provides individuals with disabilities with the same types of flexible savings account that people without disabilities have, such as college savings accounts, where interest earned on savings are tax-exempt. Furthermore, an ABLE account would enable individuals with a disability to accrue funds to pay for a variety of expenses, such as medical and dental care, education, community-based supports, employment training, assistive technology, housing, and transportation. Your Committee further finds that there are approximately forty-three thousand individuals who are eligible for the ABLE Savings Program; however, many of them are reluctant to enroll due to misinformation about the program or hesitation to provide their personal information online, which is currently the only means by which one can apply for an ABLE account. This measure will enable the Hawaii ABLE Savings Program to engage in necessary outreach to educate these individuals and create incentives for them to enroll in the program, allowing them to save money for their futures.

Your Committee acknowledges the concerns raised by the Department of Budget and Finance over the trust fund's ability to continue being self-sustaining after the creation of the permanent program outreach position and implementation of the incentive payments proposed in this measure that would require recurring funding. Your Committee finds that this issue merits further consideration and requests that your Committee on Ways and Means further examine the matter.

Your Committee has amended this measure by:

- (1) Clarifying that the permanent Hawaii ABLE Savings Program statewide outreach position is to be established within the State Council on Developmental Disabilities;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion;
- (3) Amending section 1 to clarify this measure's 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 672, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 672, 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. 455 (Majority Health and Human Services on S.B. No. 842**

The purpose and intent of this measure is to appropriate funds for the Department of Human Services to purchase health care services for certain low-income, uninsured immigrants.

Your Committee received testimony in support of this measure from the Hawai'i State Youth Commission, Hawai'i Friends of Civil Rights, The Legal Clinic, Hawai'i Primary Care Association, Hawai'i Coalition for Immigrant Rights, American Cancer Society Cancer Action Network, and four individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that there are over forty thousand undocumented members in the immigrant community who contribute to the State's workforce, and many work in low-wage, precarious jobs without health care benefits. Additionally, immigration status prevents many low-income immigrants and their families from obtaining affordable health insurance. Without health insurance, these individuals face persistent inequities in the prevention, diagnosis, and treatment of health conditions. To increase access to health care, this measure appropriates funds to purchase health care services for low-income, uninsured immigrants ineligible for Medicaid, the Children's Health Care Program, and health insurance exchanges established in part II of the Patient Protection and Affordable Care Act.

Your Committee notes that this measure, as currently written, appropriates \$1,000,000 for the purchase of health care services for certain low-income, uninsured immigrants. However, according to testimony submitted by the Department of Human Services, the implementation of this measure, as currently written, would require an annual appropriation of at least \$30,000,000. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider further examining the appropriation amount necessary to implement this measure.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Clarifying that "low-income" means an individual whose household income is at or below one hundred fifty percent of the federal poverty level;
- (3) Inserting an effective date of December 31, 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 842, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 842, 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, 1 (Awa). Excused, 1 (Shimabukuro).

**SCRep. 456 Health and Human Services on S.B. No. 671**

The purpose and intent of this measure is to exclude from the definition of “drug paraphernalia”, testing products utilized in determining whether a controlled substance contains chemicals, toxic substances, or hazardous compounds in quantities that can cause physical harm or death, including but not limited to fentanyl test strips.

Your Committee received testimony in support of this measure from the Department of Health; Office of the Prosecuting Attorney for the County of Kaua‘i; Drug Policy Forum of Hawai‘i, Inc.; Hawai‘i Health & Harm Reduction Center; Hawaii Island Fentanyl Task Force; and seven individuals.

Your Committee finds that fentanyl test strips and other drug checking products are critical in helping to prevent accidental and fatal overdoses. The federal Centers for Disease Control and Prevention and the Substance Abuse and Mental Health Services Administration encourage the use of federal funds to purchase fentanyl test strips to curb the dramatic spike in drug overdose deaths from the use of synthetic opioids that include illicitly manufactured fentanyl. Your Committee finds however, that under existing state law, fentanyl test strips are classified as drug paraphernalia, and therefore, anyone possessing a single strip could be subject to a fine of up to \$500 and any adult who provides a fentanyl test strip to a minor can be charged with a class B felony. This measure decriminalizes fentanyl test strips and other testing products, thereby allowing people to easily detect contaminated drugs and avoid accidental and fatal drug overdoses and will allow the State and nonprofit organizations to pursue federal funding to purchase fentanyl test strips.

Your Committee has amended this measure by:

- (1) Inserting language defining “fentanyl test strip” to mean a small strip of paper that can detect the presence of fentanyl in:
  - (A) Different kinds of drugs, including cocaine, methamphetamine, and heroin; and
  - (B) Different drug forms, such as pills, powder, and injectable drugs;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 671, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 671, 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. 457 Health and Human Services on S.B. No. 1476**

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds in a total amount not to exceed \$20,000,000, to assist West Maui Hospital Foundation, Inc., a Hawaii nonprofit corporation, with financing the costs related to the design and construction of, and equipment for, West Maui Hospital and Medical Center, including necessary infrastructure improvements; provided that the County of Maui shall serve as guarantor for the debt service on the bonds.

Your Committee received testimony in support of this measure from one member of the County Council of the County of Maui; West Maui Hospital Foundation, Inc.; and two individuals. 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, and that West Maui Hospital Foundation, Inc. is such an entity. Your Committee also finds that despite West Maui being home to several of Maui County’s largest residential communities and renowned as one of Hawaii’s premier visitor destinations, the region has no acute care hospital or related medical campus. Your Committee further finds that the unprecedented projected rates of growth in the number of residents and visitors in the region will substantially increase health care demands for an already underserved West Maui population. Your Committee finds that West Maui Hospital Foundation, Inc. is embarking on a project to build, own, and operate a West Maui Hospital and Medical Center with a twenty-four hour emergency room, operating rooms, radiology, laboratory, pharmacy, and inpatient and outpatient services on land leased from Newport Hospital Corporation, a foreign for profit corporation. Your Committee finds that this project will provide the West Maui region with its first acute care hospital and create significant job opportunities for local residents trained in health care. Therefore, authorizing the issuance of special purpose revenue bonds to assist in the financing of this project is in the best interest of public health.

Your Committee notes the testimony of the Department of Budget and Finance informing the Legislature and the prospective special purpose revenue bonds parties that should this measure be approved, approval of the issuance of the special purpose revenue bonds and conduit loan will require further review of the financing proposal to ensure compliance with all federal, state and credit underwriting requirements.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1476, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1476, 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. 458 (Majority) Health and Human Services on S.B. No. 601**

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds in a total amount not to exceed \$240,000,000, to assist Hawai'i Pacific Health, a Hawaii nonprofit corporation, and one or more of its nonprofit affiliates in financing the costs of the construction of, improvements to, and equipping of their health care facilities.

Your Committee received testimony in support of this measure from Hawai'i Pacific Health. 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 Hawai'i Pacific Health is such an entity. Your Committee also finds that Hawai'i Pacific Health is embarking on a multiphase, multiyear modernization and redevelopment of its existing health care facilities at Straub Medical Center to create a future-forward medical facility to serve the people of Hawaii in the years ahead. Your Committee finds that in light of the evolution and changes in the way care is provided, the redevelopment of Straub Medical Center is crucial to providing high quality health care to the community, and authorizing the issuance of special purpose revenue bonds to assist Hawai'i Pacific Health in financing the project is in the best interest of public health.

Your Committee notes the testimony of the Department of Budget and Finance informing the Legislature and the prospective special purpose revenue bonds parties that should this measure be approved, approval of the issuance of the special purpose revenue bonds and conduit loan will require further review of the financing proposal to ensure compliance with all federal, state and credit underwriting requirements.

Your Committee has amended this measure by:

- (1) Inserting an effective date of December 31, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 601, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 601, 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 (Awa). Excused, none.

**SCRep. 459 (Majority) Health and Human Services on S.B. No. 446**

The purpose and intent of this measure is to require the Department of Health to:

- (1) Conduct a study to determine the feasibility of implementing a pilot program to integrate prescription digital therapeutic products (PDTs) approved by the federal Food and Drug Administration (FDA) in outpatient treatment programs for persons with substance use disorder and persons with opioid use disorder in the State; and
- (2) Report its findings and recommendations from the study, including any proposed legislation, to the Legislature prior to the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition; Pear Therapeutics, Inc.; and Otsuka America Pharmaceutical, Inc. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that patients with substance use disorder experience mental health disease and comorbid medical problems at higher rates than the general population, and have higher baseline rates of suicidal ideation, suicide attempts, and suicide completion. Your Committee also finds that PDTs are a type of treatment that use mobile software applications, including ones that can be used on tablets and smartphones, to help prevent, manage, or treat medical and behavioral health conditions and allow patients to track their substance use, cravings, and triggers. PDTs are intended to provide cognitive behavioral therapy as an adjunct to a clinical management treatment and are currently available for patients who are eighteen years of age or older and are enrolled in outpatient treatment under the supervision of a clinician and can help patients manage a condition and improve mental health. Although the costs of PDTs are currently not covered by insurance carriers, your Committee finds that medicine and treatment incorporated with digital technologies of all kinds may improve patient health, reduce clinician workload, lower costs, reduce health disparities, and expand access to needed treatments. This measure serves as an integral step for the State in determining whether it would be feasible to incorporate PDTs into the outpatient treatment programs for patients in the State who need treatment for substance use disorder and opioid use disorder.

Your Committee has amended this measure by:

- (1) Inserting an effective date of December 31, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 446, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 446, 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 (Awa). Excused, none.

**SCRep. 460      Housing on S.B. No. 1145**

The purpose and intent of this measure is to require Hawaii Housing Finance and Development Corporation housing projects to include a restrictive covenant that the percentage of units of the housing project that are designated as affordable housing, as described in the submitted housing project application, be affordable housing units in perpetuity.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Hawaii Housing Finance and Development Corporation.

Your Committee finds that housing costs in the State continue to rise, keeping homeownership outside the reach of many Hawaii residents. This measure seeks to keep affordable units designated as affordable in perpetuity. Your Committee believes that this measure will help result in a larger inventory of affordable housing and ensure that low-income residents will be able to continue to afford housing in the State.

Your Committee has amended this measure by:

- (1) Inserting clarifying language to more accurately reflect that the units designated as affordable housing are to remain as affordable housing in perpetuity; 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. 1145, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1145, 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. 461      (Majority) Housing on S.B. No. 1442**

The purpose and intent of this measure is to:

- (1) Appropriate funds for the Ohana Zones Pilot Program, including expenses relating to operations, upkeep of facilities, provision of services, and administrative costs; and
- (2) Authorize the issuance of general obligation bonds for the construction of facilities for the Ohana Zones Pilot Program.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Hawai'i Health & Harm Reduction, Partners in Care, AARP Hawai'i, Family Promise of Hawai'i, and one individual. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the Ohana Zones program provides an essential source of funding for innovative approaches to serve and house people experiencing homelessness and to fill gaps in homeless housing and services that do not qualify for many conventional sources of funding. According to testimony received by your Committee, this measure is aligned with the Governor's priorities on homelessness, which includes an emphasis on non-traditional housing to quickly house people who are unsheltered or experiencing homelessness. Your Committee notes the concerns raised in the testimony submitted by the Governor's Coordinator on Homelessness and the Department of the Attorney General and finds amendments to this measure are necessary to address those concerns.

Accordingly, your Committee has amended this measure by:

- (1) Establishing a position within the Office of the Governor to deploy the capital improvement funds appropriated in this measure; and
- (2) Inserting expending language and related provisions for the issuance of general obligation bonds; and
- (3) Inserting language exempting the construction of facilities for the Ohana Zones Pilot Program from certain statutory 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1442, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1442, 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 (Awa). Excused, none.

**SCRep. 462      (Joint/Majority) Housing and Public Safety and Intergovernmental and Military Affairs on S.B. No. 1568**

The purpose and intent of this measure is to:

- (1) Extend the period in which a county may adopt a surcharge on state tax, under certain conditions, from March 31, 2019, to December 31, 2023;
- (2) Authorize the use of county surcharge revenues for housing infrastructure; and
- (3) Temporarily authorize counties that have previously adopted a surcharge on state tax to amend the rates and uses of the surcharge.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of the Mayor for the County of Maui, and one member of the Maui County Council. Your Committees received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committees find that the cost of off-site infrastructure is a major barrier to the development of affordable housing statewide. Accordingly, this measure offers another source of funding for counties to pay for housing infrastructure. Additionally, according to testimony received by your Committees, this measure will also help offset some of the burden on the Dwelling Unit Revolving Fund, which is currently being depleted by the State's historical infrastructure obligations in Waiahole Valley and in the Villages of Kapolei. Your Committees further recognize the Department of Taxation's concerns regarding the time frame for implementation of this measure and find amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language to clarify that any change to the county surcharge rate shall not be effective prior to January 1, 2025; 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 Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1568, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1568, 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 (Rhoads). Noes, 1 (Awa). Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 463 (Joint) Housing and Health and Human Services on S.B. No. 1617**

The purpose and intent of this measure is to:

- (1) Authorize the Hawaii Public Housing Authority (HPHA), in consultation with the Department of Human Services and Department of Health, to establish and administer a Kauhale Program to provide individual or shared housing units and support services to homeless individuals and families who meet the definition of "chronically homeless";
- (2) Exempt existing low-income rental units, tiny home villages, and kauhale from certain provisions of the Hawaii Revised Statutes, consistent with the Governor's 2015 and 2018 proclamations on homelessness;
- (3) Authorize the Governor to transfer by executive order suitable land to HPHA for the construction of kauhale; and
- (4) Appropriate funds and establish positions for the Kauhale Program.

Your Committees received testimony in support of this measure from the Chief Housing Officer, Governor's Coordinator on Homelessness, Hawaii Public Housing Authority, State Procurement Office, Hawai'i Health & Harm Reduction Center, Hawaii Substance Abuse Coalition, Malama Makua, Waianae Moku Kupuna Council, one member of the Maui County Council, and five individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Health, Department of Human Services, Office of Information Practices, and one individual.

Your Committees find that homelessness continues to be one of the State's most persistent challenges and that the creation of kauhale can provide support for homeless individuals throughout the State. Your Committees note the concerns from the Department of Land and Natural Resources (DLNR) regarding how the transfer of public lands may impede the mission of the agency that has jurisdiction over the property. However, your Committees recognize that it is the policy of the State under section 226-19(b)(1), Hawaii Revised Statutes, to effectively accommodate the housing needs of Hawaii's people and that every agency has the responsibility to do so.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that HPHA may establish a Kauhale Program to provide individual or shared housing units and support services to homeless individuals and families who are verified by government agencies or homeless services providers as homeless or at imminent risk of homelessness;
- (2) Inserting language proposed by DLNR that requires any project constructed under the Kauhale Program to comply with county floodplain management regulations;
- (3) Addressing the recommendation submitted by the Chief Housing Officer by amending language to simplify reporting requirements and delay the submission of an annual report to the Legislature beginning with the Regular Session of 2025;
- (4) Amending the definition of "kauhale" to mean "decent, safe, and sanitary dwellings";
- (5) Requiring all low-income rental units, tiny home villages, and kauhale built pursuant to the Governor's 2015 and 2018 proclamations on homelessness to be subject to certain chapters of the Hawaii Revised Statutes, including:
  - (A) Chapter 6E, relating to historic preservation;
  - (B) Chapter 92, relating to public meetings and records;
  - (C) Chapter 103D, relating to the State Procurement Code;
  - (D) Chapter 171, relating to public lands; and
  - (E) Chapter 346, relating to the Department of Human Services;



- (6) Inserting language that establishes five various full-time equivalent (5.0 FTE) positions to help HPHA properly establish the Kauhale Program; 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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1617, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1617, 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. Noes, none. Excused, none.

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

**SCRep. 464 Water and Land on S.B. No. 87**

The purpose and intent of this measure is to appropriate funds to the Department of Land and Natural Resources and its partner, or partners, for the continuation of benefits of the Green Jobs Youth Corps.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Energy Office, Kupu, Holomua Collaborative, Hawai'i Gas, Kua'āina Ulu 'Auamo, HPM Building Supply, 350Hawaii.org, Hui o Hau'ula, Hawai'i Forest Industry Association, The Nature Conservancy, Re-use Hawai'i, Hawai'i Energy, Hawai'i Community Foundation, Mālama Loko Ea Foundation, and four individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that prolonged youth unemployment can have profound negative impacts on the lifetime earnings and well-being of individuals, and therefore, the State must take action to provide better work opportunities for Hawai'i's youth and young adults. Your Committee finds that during the Regular Session of 2020, the Legislature passed Act 9, Session Laws of Hawaii 2020, 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 Hawaii-based nonprofit organization Kupu. Your Committee finds that under the Kupu Aina Corps, over three hundred fifty displaced workers and recent graduates were matched with work and training opportunities across the State.

Your Committee further finds that in 2021, the Legislature passed Act 181, Session Laws of Hawaii 2021, designating the Department of Land and Natural Resources to administer the State of Hawai'i's Green Jobs Youth Corps and provide funding for the administration of this program. In 2022, the Legislature amended the requirements for the program and provided additional funding through Act 33, Session Laws of Hawaii 2022. Your Committee finds that, in addition to addressing unemployment among youth and young adults, the Green Jobs Youth Corps is an important part of the State's strategy to diversify the economy and reach environmental and energy self-sufficiency goals. Therefore, this measure appropriates funds to ensure that the benefits to the Green Jobs Youth Corps may continue.

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. 87, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 87, 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. 465 Water and Land on S.B. No. 287**

The purpose and intent of this measure is to authorize, for condominium property regimes located in agricultural districts, counties to require county approval for subdivisions of land greater than ten acres prior to the effective date of the condominium property regime.

Your Committee received testimony in support of this measure from the Department of Planning and Permitting of the City and County of Honolulu. Your Committee received comments on this measure from the Department of the Attorney General, Office of Planning and Sustainable Development, and Department of Agriculture.

Your Committee finds that condominium property regimes are a legal mechanism for dividing a single property into two or more separate units of ownership, typically with attached appurtenances for exclusive use and limited common elements, such as yards. By establishing a condominium property regime, each unit has its own separate fee simple ownership, mortgage, encumbrance, and tax map key number.

Your Committee further finds that agricultural district lands are in plentiful supply with the decline of plantation agriculture. Your Committee also finds that high-value residential housing uses that are not tied to farming in the agricultural districts have proliferated, especially on the neighbor islands. Therefore, this measure authorizes, for condominium property regimes located in agricultural districts, counties to require county approval for subdivisions of land greater than ten acres prior to the effective date of the condominium property regime.

Your Committee has heard the testimony of the Department of Planning and Permitting of the City and County of Honolulu, suggesting that to ensure that a developer of an agricultural district condominium does not record a condominium map before a county has an opportunity to review and approve, an amendment to section 514B-33, Hawaii Revised Statutes (HRS), is required.

Your Committee also heard the testimony of the Department of Attorney General and the Office of Planning and Sustainable Development, noting that the intent of this measure as drafted is ambiguous, because it is unclear as to how the condominium property

regime of chapter 514B, HRS, is related to the subdivision exemption in section 205-4.5(f), HRS. The Department and Office both testified that to ensure county review and approval of condominium property regimes in agricultural districts, section 514B-52(b), HRS, is the more appropriate section to amend.

Therefore, your Committee has amended this measure by:

- (1) Requiring that a condominium map for lands within an agricultural district situated in any county be accompanied by a letter signed by an appropriate county official or agency certifying that the condominium property regime will conform to county zoning laws pursuant to section 514B-5, HRS;
- (2) Establishing in section 514B-52(b), HRS, the language requiring that for condominium project regimes greater than ten acres, a county may require its approval of the subdivision of land prior to the effective date of the condominium property regime, instead of in section 205-4.5(f), HRS;
- (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. 287, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 287, 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. 466 Water and Land on S.B. No. 1195**

The purpose and intent of this measure is to:

- (1) Require the Hawaii Housing Finance and Development Corporation to offer five-year lease extensions to certain Waiahole Valley lessees at current terms; and
- (2) Require the Hawaii Housing Finance and Development Corporation to submit a report to the Legislature regarding whether a different entity should manage Waiahole Valley.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, seven individuals, and a form letter signed by ten 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 Hawaii Housing Finance and Development Corporation and one individual.

Your Committee finds that in November 1977, the State of Hawaii acquired seven hundred ninety-five acres of land in Waiahole Valley from Elizabeth Low McCandless Marks. In 1998, the State, as lessor, entered into long-term agricultural and residential leases for lands within the valley. The Hawaii Housing Finance and Development Corporation (HHFDC) is the current lessor of ninety-two long-term ground leases for residential, agricultural, and commercial lots within the Waiahole subdivision.

Your Committee finds that the initial twenty-five-year term of the leases will end on June 29, 2023, and the lessees and HHFDC currently are in negotiations to establish increased rents for the next term of fifteen years. Your Committee further finds that the HHFDC's initial offer for the next term of the lease proposes to increase lease rents by approximately 6.6 times the current rates. While a rental rate of 6.6 times the current rate is estimated to be below the current market rate, the increase would mean that many farmers leasing more than ten acres would be forced to pay thousands of dollars in additional rent per year.

Your Committee also finds that there is no law or policy that requires the HHFDC to increase rent. Your Committee further finds that leasing land is not within the primary mission of the HHFDC, nor is supporting agriculture. Therefore, this measure requires the HHFDC to offer five-year lease extensions to certain Waiahole Valley lessees at current terms and requires the HHFDC to submit a report to the Legislature regarding whether a different entity should manage Waiahole Valley.

Your Committee has heard the testimony of the Department of the Attorney General, expressing concerns that section 2 of this measure is special legislation under article XI, section 5, of the Hawaii State Constitution, which provides, "The legislative power over the lands owned by or under the control of the State and its political subdivisions shall be exercised only by general laws, except in respect to transfers to or for the use of the State, or a political subdivision, or any department or agency thereof." The Department testified that because this measure targets lessees in a specific geographical region, creating an illusory class that is unlikely to consist of any members other than those presently targeted, it may be unconstitutional.

Therefore, your Committee has amended this measure by:

- (1) Deleting the requirement that the HHFDC provide a five-year lease extension at the current rate to lessees whose lease is set to expire before 2028, and instead requiring the HHFDC to submit a report to the Legislature on the progress and ultimate outcome of the ongoing lease rent renegotiations;
- (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 Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1195, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1195, 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. 467 (Joint) Water and Land and Energy, Economic Development, and Tourism on S.B. No. 304**

The purpose and intent of this measure is to:

- (1) Establish a visitor impact fee program within the Department of Land and Natural Resources, through which the Department will collect a fee for a license to visit a state park, forest, hiking trail, or other state natural area;
- (2) Establish the Environmental Legacy Commission to allocate revenues from the visitor impact fee to protect and manage natural resources; and
- (3) Establish the Visitor Impact Fee Special Fund.

Your Committees received testimony in support of this measure from the Office of the Governor, Department of Land and Natural Resources, Office of Planning and Sustainable Development, Hawai'i Tourism Authority, The Nature Conservancy, Imua Alliance, Hawaii Reef and Ocean Coalition, Climate Protectors Hawaii, Surfrider Foundation, Kupu, Mālama Learning Center, Environmental Caucus of the Democratic Party of Hawai'i, Kingdom Pathways, Resources Legacy Fund, Hawai'i Lodging and Tourism Association, Sustainable Coastlines Hawai'i, and fifty individuals. Your Committees received testimony in opposition to this measure from three individuals. Your Committees received comments on this measure from the Department of the Attorney General, Tax Foundation of Hawaii, Kohala Coast Resort Association, Maui Hotel and Lodging Association, and one individual.

Your Committees find that Hawaii's natural resources, including reefs, oceans, forests, streams, estuaries, shorelines, and beaches, provide irreplaceable and invaluable benefits to visitors, residents, and the global community. However, your Committees find that with escalating visitor impacts and an increasing global threat to our island ecosystem, there is an immediate need for additional resources to protect, restore, sustain, manage, and conserve our natural resources.

Your Committees find that a regenerative tourism fee has been suggested by the Hawaii Tourism Authority as a potential means to obtain these critical resources. Your Committees find that it is timely to ask visitors who enjoy and reap the benefits of Hawaii's natural resources to further contribute to their protection, care, and restoration. Therefore, this measure establishes the Visitor Impact Fee Program within the Department of Land and Natural Resources, through which the Department will collect a fee for a license to visit a state park, forest, hiking trail, or other state natural area; establishes the Environmental Legacy Commission to allocate revenues from the visitor impact fee to protect and manage natural resources; and establishes the Visitor Impact Fee Special Fund.

Your Committees have heard the testimony of the Department of the Attorney General, requesting that this measure incorporate certain key features of a similar measure introduced by the Governor, S.B. No. 1349, Regular Session 2023, which had been reviewed by the Department of the Attorney General and is more narrowly tailored. Specifically, S.B. No. 1349 provides that site-specific areas subject to the license requirement will be set by rule and emphasizes that the uses of the special fund will be closely related to the impacts of visitors on natural resources.

Therefore, your Committees have amended this measure by:

- (1) Eliminating the proposed Environmental Legacy Commission and granting the Department of Land and Natural Resources the authority over the Visitor Impact Fee Program;
- (2) Providing that the site-specific areas subject to the license requirement will be set by rule;
- (3) Limiting the use of revenues from the Visitor Impact Fee Program for state parks and other natural resource maintenance and improvement projects under the Department of Land and Natural Resources' jurisdiction that are impacted by visitors;
- (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 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. 304, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 304, 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 (Chang, Fevella).  
Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 468 (Joint/Majority) Water and Land and Transportation and Culture and the Arts on S.B. No. 1263**

The purpose and intent of this measure is to:

- (1) Require commercial ocean operators who take customers into state waters to engage in recreational activities to have at least one individual aboard the vessel who is rescue diver or lifeguard certified by a nationally recognized certification organization; and
- (2) Require vessels that transport customers for the purpose of engaging in an activity in state waters to have a backboard, emergency oxygen, and an automated external defibrillator included in its onboard safety equipment.

Your Committees received testimony in support of this measure from nine individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources, Calypso Charters, and Ocean Tourism Coalition. Your Committees received comments on this measure from one individual.

Your Committees find that businesses that conduct commercial operations that take customers on excursions in state waters for the purpose of engaging in recreation activities are required to obtain a permit from the Department of Land and Natural Resources Division of Boating and Ocean Recreation. However, your Committees find that the provisions for obtaining those permits do not include safety requirements, which leads to potential consumer safety issues. Your Committees also find that more stringent crew training requirements would both increase safety and ensure that businesses engaging in commercial tours meet some minimum requirements before charging customers.

Your Committees also find that House Concurrent Resolution No. 86, H.D. 1, S.D. 1, adopted in 2015, requested the Department of Land and Natural Resources to engage stakeholders and consider adopting permitting provisions requiring employees of businesses who take customers on watersport excursions to be trained in basic water safety measures. However, your Committees find that the Department has not taken action in response to the provisions of the concurrent resolution. Therefore, this measure requires commercial ocean operators who take customers into state waters to engage in recreational activities to have at least one individual aboard the vessel who is a rescue diver or lifeguard certified by a nationally recognized certification organization; and requires vessels that transport customers for the purpose of engaging in an activity in state waters to have a backboard, emergency oxygen, and an automated external defibrillator included in its onboard safety equipment.

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 Water and Land and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1263, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1263, 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.

Water and Land: Ayes, 3; Ayes with Reservations (McKelvey). Noes, none. Excused, 2 (Chang, Fevella).

Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Keohokalole).

**SCRep. 469 (Joint/Majority) Transportation and Culture and the Arts and Agriculture and Environment on S.B. No. 1024**

The purpose and intent of this measure is to:

- (1) Establish long-term goals for zero-emission transportation in Hawaii and abroad to reduce and eliminate transportation emissions;
- (2) Establish the Ground Transportation and Interisland and Transpacific Transportation Working Groups; and
- (3) Require annual reports to the Hawaii Climate Change Mitigation and Adaptation Commission and the Legislature.

Your Committees received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaptation Commission, Office of Planning and Sustainable Development, Department of Research and Development of the County of Hawai'i, Climate Protectors Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, Alliance for Automotive Innovation, Hawaiian Airlines, Big Island Electric Vehicle Association, Ulupono Initiative, Blue Planet Foundation, Kauai Climate Action Coalition, and ten individuals. Your Committees received testimony in opposition to this measure from three individuals. Your Committees received comments on this measure from Hawaii Automobile Dealers' Association.

Your Committees find that while transportation accounts for the majority of the State's greenhouse gas emissions, the State is ideally suited to serve as a unique incubator for innovative new technologies and services that will assist countries around the world to achieve zero-emissions transportation. Additionally, the State is also an ideal location to serve as an incubator for short-range sea and air travel between the islands. This measure establishes working groups to develop plans and recommendations to achieve clean energy goals, establishes long-term goals for zero-emissions transportation in the State while also assisting other countries to create zero-emissions transportation.

Your Committees have amended this measure by:

- (1) Renaming the Hawaii Transportation Initiative to the Hawaii Clean Transportation Initiative;
- (2) Clarifying that each department, board, and commission shall incorporate ground transportation; interisland transportation; and international transpacific transportation goals into their plans and act to achieve clean transportation goals;
- (3) Renaming the Ground Transportation Working Group to the Clean Ground Transportation Working Group and amending its scope of responsibilities accordingly;
- (4) Designating the Director of Transportation and the Chief Energy Officer as co-chairpersons of the Clean Ground Transportation Working Group;
- (5) Adding the mayor of each county and the chairpersons of the Senate and House of Representatives standing committees whose purview is transportation, or their designees, to the Clean Ground Transportation Working Group;
- (6) Renaming the Interisland and Transpacific Transportation Working Group to the Interisland and Transpacific Clean Transportation Working Group and amending its scope of responsibilities accordingly;
- (7) Designating the Director of Transportation and the Chief Energy Officer as co-chairpersons of the Interisland and Transpacific Clean Transportation Working Group;
- (8) Adding the mayor of each county and the chairpersons of the Senate and House of Representatives standing committees whose purview is transportation, or their designees, to the Interisland and Transpacific Clean Transportation Working Group;

- (9) Requiring the Department of Transportation, Office of Planning and Sustainable Development, and the Hawaii State Energy Office to develop plans in coordination with the working groups to increase the State's electric charging capacity, including:
- (A) The rate by which electric vehicle sales are projected to replace internal combustion vehicle sales;
  - (B) The rate by which other electric transportation options are projected to require charging capacity; and
  - (C) The development and implementation of other options that accelerate the transition to zero emissions transportation; and
- (10) 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 Culture and the Arts and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1024, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1024, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Inouye).

Agriculture and Environment: Ayes, 4; Ayes with Reservations (DeCoite, Richards). Noes, 1 (Awa). Excused, none.

**SCRep. 470 (Joint) Transportation and Culture and the Arts and Government Operations on S.B. No. 119**

The purpose and intent of this measure is to:

- (1) Authorize the Works of Art Special Fund to be used for performing arts, under certain conditions;
- (2) Provide that forty percent of the Works of Art Special Fund be used for performing arts; and
- (3) Define "performing arts".

Your Committees received testimony in support of this measure from Ebb & Flow Arts and two individuals. Your Committees received testimony in opposition to this measure from the State Foundation on Culture and the Arts, Department of Budget and Finance, Danse Space Hawaii, Rachel Orr Art, Windward Artist GuildHonolulu Theatre for Youth, Xen Design Inc., Aupuni Space, Exhibition Grid, Na Mea Hawaii, Pau Hana Painters Collective, TRADES A.i.R., Prince Dance Company, and sixty-four individuals. Your Committees received comments on this measure from the Department of the Attorney General, Hawaii Arts Alliance, and two individuals.

Your Committees find that the mission of the State Foundation on Culture and the Arts is to promote, perpetuate, preserve, and encourage culture and the arts as central to the quality of life and people of the State. The State Foundation on Culture and the Arts administers the State Art Museum and the Art in Public Places and Relocatable Works of Art Programs. The State Art Museum and programs administered by the State Foundation on Culture and the Arts support, promote, and recognize the excellence of the State's diverse artists while also showcasing the diversity and excellence of various artists. To further the State Foundation on Culture and the Arts' endeavors, your Committees find that performing arts should be incorporated into the State Foundation on Culture and the Arts' programming.

Your Committees have amended this measure by:

- (1) Deleting language that would have defined "display", "works of art", and "performing arts" for purposes of the State Foundation on Culture and the Arts;
- (2) Deleting language that would have amended the purposes of the Works of Arts Special Fund, including the requirement that forty percent of the Works of Art Special Fund be used for performing arts;
- (3) Inserting language that establishes the Performing Arts Pilot Program Committee within the State Foundation on Culture and the Arts;
- (4) Requiring the Performing Arts Pilot Program Committee to establish a Performing Arts Pilot Program under which the Committee will solicit, review, and select grant proposals for performing arts grants;
- (5) Requiring the Performing Arts Pilot Program Committee to submit annual reports to the Legislature;
- (6) Including the Performing Arts Pilot Program and the coordination, planning, promotion, marketing, and execution of performing arts events within the purposes of the State Foundation on Culture and the Arts;
- (7) Defining "performing arts";
- (8) Appropriating \$1,000,000 in general funds for the Performing Arts Pilot Program;
- (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 Transportation and 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. 119, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 119, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by President and the Chair on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

**SCRep. 471      Judiciary on S.B. No. 34**

The purpose and intent of this measure is to amend the taxes withheld on the amount realized by nonresidents from the disposition of Hawaii residential real property from 7.25 percent to 75 percent, applicable to real estate dispositions that occur on or after 9/15/2023.

Your Committee received testimony in support of this measure from HOPE Services Hawai'i, Our Hawai'i, and one hundred eighty-seven individuals. Your Committee received testimony in opposition to this measure from Hawai'i REALTORS, Rental by Owner Awareness Association, and seven individuals. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, Grassroot Institute of Hawaii, and six individuals.

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 deletes the contents of the measure and inserts language to create a temporary income tax credit for taxpayers who sell real property to owner-occupants.

Your Committee received testimony in support of this measure from twenty-six individuals. Your Committee received testimony in opposition to this measure from NAIOP Hawaii and two individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the cost and lack of availability of housing is a significant concern to residents of the State. The State also has the highest cost of living, with the cost of housing being a major contributing factor. This measure will give a financial incentive for residents who sell property in the State and allow more housing to be owned by residents in the State.

Your Committee has amended this measure by adopting the proposed S.D. 1 and making a further amendment to insert an effective date of March 22, 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. 34, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 34, 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 (San Buenaventura).

**SCRep. 472      Judiciary on S.B. No. 903**

The purpose and intent of this measure is to:

- (1) Require the Judiciary or supporting agencies to establish and support a program for restorative justice in each county and inform various criminal justice representatives of the existence of the program; and
- (2) Appropriate funds for the establishment of one program and one position in each county.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii Correctional System Oversight Commission, Office of the Public Defender, Office of the Prosecuting Attorney of the County of Hawai'i, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kaua'i, Department of the Prosecuting Attorney of the County of Maui, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, and four individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that restorative justice programs benefit not only victims, but they also benefit the defendants, their families, and the community. These programs have proved to be a powerful force in many other jurisdictions across the United States in providing healthy dialogue, communication, and opportunities for perpetrators of crime to understand the true impact of their actions. Restorative justice programs provide opportunities for all parties to express and share emotions and to dialogue in a safe and healthy space. These conversations can be deeply emotional and enlightening to the parties who choose to participate. All participation in restorative justice is voluntary and facilitated by trained professionals who help guide all parties through the process. Adding restorative justice to the State's criminal justice system will promote healing and understanding between the parties who participate.

Your Committee has amended this measure by:

- (1) Specifying that the restorative justice programs be placed within the oversight of the Department of the Attorney General rather than the Judiciary;
- (2) Specifying that the Department of the Attorney General shall establish and support a restorative justice program, in collaboration with the prosecuting attorney of each county;
- (3) Deleting language that allowed the Judiciary or supporting agencies to contract with a credible and financially stable nonprofit organization to conduct restorative justice work in each county and ensure that victims are notified of restorative justice opportunities available to them;
- (4) Deleting language that provided that upon successful completion of any restorative justice process with an agreement, approval of the victim, and approval of the prosecuting attorney, charges may be declined during the screening process or the case may be dismissed if charges have been filed;
- (5) Appropriating funds for a restorative justice program within the Department of the Attorney General, rather than appropriating funds to the Judiciary for one restorative justice program and one full-time equivalent (1.0 FTE) position in each county, including any matching funds required to receive Victims of Crime Act grant funds;
- (6) Making conforming amendments;

- (7) Inserting an effective date of March 22, 2075, to encourage further discussion;
- (8) Amending section 1 to reflect its amended purpose; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the Senate Draft 1 of this measure contains an unspecified appropriation amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$250,000.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 903, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 903, 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 (San Buenaventura).

**SCRep. 473      Judiciary on S.B. No. 977**

The purpose and intent of this measure is to allow for judicial review of orders fixing minimum terms of imprisonment.

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 the contents of the measure and inserted provisions that:

- (1) Specify that in any civil action brought by the petitioner seeking compensation of any kind or nature whatsoever as a result of, related to, or arising from a conviction and imprisonment for crimes for which the person was actually innocent, any recovery will offset, dollar for dollar, the total award made in the civil action against whom claims are asserted; and
- (2) Repeal section 661B-7, Hawaii Revised Statutes, relating to exclusive remedies.

Your Committee received testimony in support of this measure from Office of the Public Defender, Hawai'i Innocence Project, Hawai'i Association of Criminal Defense Lawyers, and three individuals. Your Committee received testimony in opposition to this measure from the Judiciary and Hawaii Paroling Authority.

Your Committee finds that the current procedure for judicial review of orders fixing minimum terms of imprisonment issued by the Hawaii Paroling Authority is unduly burdensome on inmates and creates a blind spot in indigent representation. Inmates seeking judicial review are required to initiate a new cause of action by filing a petition in the circuit court that sentenced them to prison, create their own record by attaching relevant documents, request transcription of the proceedings before the Hawaii Paroling Authority, and raise legal issues. The circuit court then determines if the petition has merit before setting a hearing and appointing counsel for indigent petitioners. Your Committee further finds that this procedure screens out meritorious issues and is daunting for indigent inmates who must file their petition without the assistance of an attorney. Judicial review of the Hawaii Paroling Authority's order fixing the minimum term of imprisonment through a motion filed in the original criminal case allows public defenders to continue their representation of clients on appeal and identifies errors that may have arisen at minimum term hearings. Judicial review will provide greater uniformity in due process and statutory compliance by the Hawaii Paroling Authority.

Your Committee has amended this measure by adopting the proposed S.D. 1 and making a further amendment to insert an effective date of March 22, 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. 977, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 977, 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. 474      (Majority) Health and Human Services on S.B. No. 677**

The purpose and intent of this measure is to authorize and establish procedures and criteria for prescriptive authority for certain clinical psychologists who meet specific education, training, and registration requirements.

Your Committee received testimony in support of this measure from the Board of Psychology; American Psychological Association Services, Inc.; Society for Prescribing Psychology; Hawai'i Psychological Association; Illinois Psychological Association; Iowa Psychological Association; Wegierek Psychology Center, Inc.; iNetMedRx<sup>2</sup>, Inc.; and seventy-two individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of Professional Nurses; 'Ahaui o nā Kauka Association of Native Hawaiian Physicians; Ka Lama Kukui; Hawai'i Psychiatric Medical Association; Hawaii Medical Association; and forty-four individuals. Your Committee received comments on this measure from the Department of Health and two individuals.

Your Committee finds that there is a significant shortage of prescribing mental health care providers in the State, particularly in rural and medically underserved communities. Collaborative practice between licensed clinical psychologists and medical doctors has the potential to address this shortfall. To increase access to prescriptive mental health treatment, this measure authorizes qualified clinical psychologists with appropriate advanced training to prescribe from a limited formulary of psychotropic medication.

Your Committee notes the concerns raised by the Department of Health regarding the scope of this measure, in particular, the inclusion of minors, pregnant women, and persons who are Seriously and Persistently Mentally Ill (SPMI). To reduce the risk for numerous complications that require a full array of services, the Department of Health recommends excluding SPMI individuals and those served by the Department's Child and Adolescent Mental Health Division. The Department additionally recommends amending the reporting requirements, as currently written, to include specific medications and prescription frequency. Your Committee further notes the testimony submitted by Dr. Judi Steinman, which proposes granting prescriptive authority privilege to a psychologist who has

been licensed to prescribe for at least five years in another state that authorizes prescriptive authority for psychologists or the United States Armed Forces within the United States Department of Health and Human Services or Indian Health Service. Your Committee respectfully requests your Committees on Commerce and Consumer Protection and Ways and Means consider these concerns, should they choose to deliberate on this measure.

Your Committee additionally notes the Board of Psychology's concern that it would be unable to implement this measure, as currently written, until July 1, 2025, due to the substantial amendments to licensing schemes this measure entails. In addition to establishing administrative rules, application processes, and formularies, the Board will also require additional staff. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language requiring the Board of Psychology to adopt rules to implement prescriptive authority privilege for certain clinical psychologists; provided that the board shall establish a rule that, whenever possible, a prescribing psychologist shall collaborate with the patient's primary health care provider;
- (2) Clarifying that the Board of Psychology shall accept applications for prescriptive authority privilege beginning on July 1, 2025, rather than July 1, 2023;
- (3) Inserting an appropriation of an unspecified amount for the Board of Psychology to implement prescriptive authority privilege for certain clinical psychologists;
- (4) Inserting an effective date of December 31, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 677, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 677, 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, 3. Noes, 1 (Awa). Excused, 1 (Shimabukuro).

**SCRep. 475 Health and Human Services on S.B. No. 693**

The purpose and intent of this measure is to mandate that private and public health plans reimburse participating registered pharmacists for services provided within their scope of practice.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Board of Pharmacy, Walgreen Co., Hawaii Pharmacists Association, AARP Hawai'i, National Community Pharmacists Association, American Pharmacists Association, Times Pharmacy, Hawai'i Pacific Health, The Queen's Health System, KTA Super Stores, and twenty-nine individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Department of Human Services.

Your Committee finds that there is a shortage of physicians statewide. Pharmacists can help mitigate this shortage by providing health education and medication utilization techniques. This measure will expand access to quality health care across the state, especially in rural areas.

Your Committee notes the testimony of the Department of Human Services (DHS), which testified that due to the federal public notice requirements and the time needed to draft and discuss the provisions of this measure with the Center for Medicare and Medicaid Services, DHS requests an effective date that will allow at least six months for DHS to submit necessary State Plan Amendments to implement this measure. Your Committee requests that your Committees on Commerce and Consumer Protection and Ways and Means, should it choose to hear this measure, further examine this issue raised by DHS.

Accordingly, your Committee has amended this measure by 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 693, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 693, 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. 476 Health and Human Services on S.B. No. 791**

The purpose and intent of this measure is to appropriate funds to the Department of Health to purchase one advanced life support ambulance and related equipment, and pay costs for state-certified emergency medical services personnel, to be based on the island of Molokai.

Your Committee received testimony in support of this measure from The Queen's Health System, American Medical Response, Maui County Paramedics Association and ten individuals. Your Committee received comments on this measure from the Department of Health.



Your Committee finds that Molokai's growing community needs expanded ambulance services. Due to its unique geographic area, an additional ambulance will increase response times to help provide necessary care. Your Committee notes the testimony of the Department of Health, which estimates that although this measure, as currently written, contains an appropriation for \$1,500,000, due to annual cost-of-living increases, an estimated \$1,600,000 would actually be needed to implement this measure. Your Committee requests that your Committee on Ways and Means, should it hear this measure, examine the issue raised by the Department of Health.

Your Committee has amended this measure by inserting a blank appropriation amount.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 791, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 791, 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. 477 Health and Human Services on S.B. No. 987**

The purpose and intent of this measure is to appropriate funds to the Department of Health to develop and implement statewide media, education, and training activities for policies related to emergency examination and hospitalization and assisted community treatment for those in need of mental health intervention.

Your Committee received testimony in support of this measure from the Department of Health, Judiciary, Hawaii Disability Rights Center, and four individuals.

Your Committee finds that the State has developed policies related to emergency examination and hospitalization and assisted community treatment. These policies have the potential to improve health outcomes for individuals experiencing severe mental health crises, but due to the complexity of these policies, they have yet to be fully implemented. To improve implementation, this measure appropriates funds to educate and train applicable stakeholders on emergency examination and hospitalization and assisted community treatment.

Your Committee has amended this measure by inserting a blank appropriation amount.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 987, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 987, 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. 478 Health and Human Services on S.B. No. 1372**

The purpose and intent of this measure is to clarify the definitions of "caregiver support services", "kupuna care services", and "respite care" in section 349-16, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Health and Policy Advisory Board on Elder Affairs.

Your Committee finds that Act 160, Regular Session of 2022, combined the Kupuna Care and Kupuna Caregiver programs. Currently, the definitions for "caregiver support services" and "respite care" only apply to employed caregivers. It is believed that the greater majority of caregivers fall into the category of caregivers who provide twenty-four-hour care to a spouse, family member, or loved one at home without compensation. Many caregivers are themselves kupuna. This measure will therefore allow for all caregivers, both employed and not employed as caregivers, to receive caregiver support services and respite 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1372, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1372, 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 (Shimabukuro).

**SCRep. 479 Health and Human Services on S.B. No. 1378**

The purpose and intent of this measure is to expand protections for vulnerable senior citizens, the public at large, and residents of care homes by:

- (1) Clarifying that any person, corporation, or entity is prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility; and
- (2) Repealing the landlord exclusion.

Your Committee received testimony in support of this measure from the Department of Health and Alliance of Professional Primary Care Administration.

Your Committee finds that investigations by the Department of Health have revealed numerous unlicensed care homes in the State, which pose a danger to the public and to frail, elderly, and vulnerable populations. However, licensed care home operators continue to refer or transfer patients to unlicensed care homes unbeknownst to patients. Additionally, at least twenty-one unlicensed care homes

have used the landlord exclusion to avoid the Department of Health's consumer protections through its regulatory oversight. This measure promotes the quality of care for the public by expanding the Department of Health's ability to investigate complaints and take appropriate enforcement actions.

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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1378, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1378, 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 (Shimabukuro).

**SCRep. 480 Health and Human Services on S.B. No. 318**

The purpose and intent of this measure is to establish and appropriate funds for a Fetal Alcohol Spectrum Disorders Task Force within the Department of Health.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, Hawaii Fetal Alcohol Spectrum Disorders Action Group, Hawaii Substance Abuse Coalition, and four individuals. Your Committee received comments on this measure from the Department of Human Services and Department of Health.

Your Committee finds that fetal alcohol spectrum disorders (FASDs) are lifelong physical, developmental, behavioral, and intellectual conditions caused by prenatal exposure to alcohol. FASDs may impact as many as seventy thousand eight hundred people living in the State. Despite the prevalence of FASDs, few children in the State are diagnosed even by using best practices, especially within foster care and adoptive families, and many students with FASDs receive no additional support in the classroom. This measure would establish a task force to develop guidelines, recommendations, teaching protocols, and a screening tool relating to FASDs to assist the Legislature in determining the most effective way to support individuals with FASDs.

Your Committee notes the concerns raised by the Department of Health that the State's model of care lacks the appropriate multidisciplinary organization to assess and diagnose FASD cases. Seeking recommendations for legislative support is premature until a more reliable prevalence rate can be established. In lieu of a task force, a pilot project to implement a co-management system for primary care providers, behavioral health providers, and FASDs specialists would be more appropriate at this time. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have:
  - (A) Established a Fetal Alcohol Spectrum Disorders Task Force within the Department of Health;
  - (B) Designated the membership composition of the Task Force;
  - (C) Required the Task Force to develop guidelines, recommendations, teaching protocols, and a screening tool relating to FASDs;
  - (D) Required the Task Force to submit a report to the Legislature; and
  - (E) Dissolved the Task Force on July 1, 2024;
- (2) Inserting language that:
  - (A) Requires the Department of Health to establish and administer a five-year pilot program to implement a co-management system of care for the diagnosis and treatment of FASDs; and
  - (B) Specifies the operational procedures of the co-management system of care, including the responsibilities of the primary care provider, FASDs specialist, and behavioral health provider;
- (3) Clarifying that the funds appropriated to the Department of Health shall be for the establishment and administration of the five-year pilot program to implement a co-management system of care for the diagnosis and treatment of individuals with FASDs;
- (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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 318, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 318, 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. 481 Health and Human Services on S.B. No. 759**

The purpose and intent of this measure is to establish and appropriate funds for a pilot program within the Office of Primary Care and Rural Health to:

- (1) Collaboratively address the health and wellness needs of Hawaii County's most underserved residents;
- (2) Facilitate discussions between key Hawaii County community health and social service organizations; and
- (3) Develop a 2030 One Shared Health Vision Plan, which shall be submitted to the Legislature prior to the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Hawai'i State Youth Commission, Department of Research and Development for the County of Hawai'i, and Hawai'i Island Fentanyl Task Force. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that accessing health care is often complicated for residents in rural areas of the State. Coordinated efforts at all levels are necessary to improve access to public health services, including in Hawaii County. To establish a strong health network in the County, this measure establishes and appropriates funds for a pilot program to develop a comprehensive plan to increase access to health care, reduce service duplication, and foster collaboration between providers.

Your Committee notes that, per testimony submitted by the Department of Health, the Office of Primary Care and Rural Health has neither the staff nor the resources to implement this measure, as currently written. Further, rural counties across the State are already developing plans to address their respective county's most pressing needs. To ensure communities retain developmental control and a vested interest in their plans, the Office of Primary Care and Rural Health should support, rather than lead, these public health efforts. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have appropriated an unspecified amount of funds to the Office of Primary Care and Rural Health for the pilot program established in this measure;
- (2) Inserting language appropriating an unspecified amount of funds to the Department of Health for the establishment of one permanent full-time equivalent Program Specialist IV position within the Department of Health's Family Health Services Division to oversee development of the community plans and coordinate efforts to address health equity issues affecting underserved rural areas of the State;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 759, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 759, 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. 482 (Majority Health and Human Services on S.B. No. 63**

The purpose and intent of this measure is to:

- (1) Allow the Board of Nursing to issue temporary permits for six-month periods to registered nurses and practical nurses licensed in another jurisdiction under certain circumstances; and
- (2) Except from license requirements, nurses who are licensed in another state, territory, or country accompanying a patient from out-of-state for a period of less than two weeks and not employed or affiliated with a health care facility in the State.

Your Committee received testimony in support of this measure from the Board of Nursing, Hawai'i State Center for Nursing, Healthcare Association of Hawaii, Hawai'i – American Nurses Association, Hawaii Medical Service Association, Hawai'i Pacific Health, Hawaii Association of Health Plans, The Queen's Health System, and two individuals. Your Committee received comments on this measure from Department of Commerce and Consumer Affairs and Grassroot Institute of Hawaii.

Your Committee finds that to provide care for the record-setting number of patients resulting from the effects caused by the coronavirus disease 2019 pandemic, the former Governor issued an emergency proclamation allowing out-of-state clinicians to practice in the State without a license. Your Committee further finds that the pandemic has contributed to many nurses retiring or leaving the profession, resulting in a severe reduction in the State's nursing workforce. Since the expiration of the emergency proclamation, critical out-of-state clinicians have been authorized by permit to practice in the State pursuant to emergency rules. This measure helps address the severe nursing shortage in the State by codifying much of the temporary permit process that is currently in place, allowing an easier path for out-of-state registered nurses and licensed practical nurses to practice in the State.

Your Committee acknowledges the testimony of Hawai'i Pacific Health suggesting that the application processes for the temporary permit and license to practice be combined to create a more efficient pathway to licenses.

Additionally, your Committee has included a blank appropriation in this measure. Should your Committees on Commerce and Consumer Protection and Ways and Means choose to deliberate on this measure, your Committee respectfully requests that they consider appropriating \$78,426 to implement the regulation of nurses as required by this measure.

Your Committee has amended this measure by:

- (1) Inserting language that allows an out-of-state registered nurse or licensed practical nurse to simultaneously apply for a license to practice and a temporary permit;

- (2) Inserting language that provides an exception to the six-month expiration date of temporary permits when applications for a license to practice and a temporary permit are filed simultaneously, by extending the validity of the temporary permit to when the board approves the application to practice;
- (3) Inserting language that requires the Board of Nursing to approve an application for a temporary permit within seven business days of receiving a complete application provided that the applicant meets the required criteria;
- (4) Inserting a blank appropriation amount;
- (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 record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 63, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 63, 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, 1 (Awa). Excused, none.

**SCRep. 483 (Majority) Health and Human Services on S.B. No. 322**

The purpose and intent of this measure is to adopt the Interstate Licensed Professional Counselors Compact.

Your Committee received testimony in support of this measure from the United States Department of Defense, Hawaii Medical Service Association, and Hawaii Association of Health Plans. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs and Hawai'i Counselors Association. Your Committee received comments on this measure from the Hawaii Association for Justice, Grassroot Institute of Hawaii, and one individual.

Your Committee finds that there is a shortage of mental health service providers in the State, particularly in rural and underserved communities. According to the Department of Health, approximately eleven thousand youth in the State had a major depressive episode in 2019, yet only half received mental health services. To increase access to these services, this measure adopts the Interstate Licensed Professional Counselors Compact.

Your Committee notes the concerns raised by the Department of Commerce and Consumer Affairs that the State's licensure requirements do not fulfill those of the Compact, and the Department is unable to share confidential information required by the Compact. Further, additional analysis is required to determine the Compact's financial and operational impact on the Department. Your Committee also notes, per the testimony submitted by the Hawaii Association for Justice, that this measure, as currently written, grants broad immunity to officers or employees who render aid pursuant to the Compact and leaves no legal recourse for individuals who may be harmed. Your Committee respectfully requests your Committees on Commerce and Consumer Protection and Ways and Means to consider these concerns, should they choose to deliberate on this measure.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Interstate Licensed Professional Counselors Compact;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 322, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 322, 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, 1 (Awa). Excused, none.

**SCRep. 484 Health and Human Services on S.B. No. 668**

The purpose and intent of this measure is to adopt the Physical Therapy Licensure Compact.

Your Committee received testimony in support of this measure from the United States Department of Defense, Hawaii Chapter of the American Physical Therapy Association, and Hawaii Medical Service Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Board of Physical Therapy, Grassroot Institute of Hawaii, and Hawaii Association for Justice.

Your Committee finds that there has been a chronic shortage of physical therapists in the State, particularly in rural and underserved communities. Despite this shortage, the Board of Physical Therapy only meets once every other month to review licensing applications, delaying qualified practitioners from providing care. To increase access to physical therapy services, this measure adopts the Physical Therapy Licensure Compact to facilitate interstate practice of physical therapy. In addition, your Committee notes concerns raised by the Hawaii Association for Justice that this measure, as currently written, grants broad immunity to officers or employees under the Physical Therapy Compact and leaves no legal recourse for individuals who may be harmed. Your Committee therefore respectfully requests your Committee on Commerce and Consumer Protection consider these concerns, should it choose to deliberate on this measure.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying the definition of “practice of physical therapy”;
- (2) Removing language that would have provided that an assessment levied against the State is effective only to the extent that moneys necessary to pay the assessment have been deposited into the Compliance Resolution Fund;
- (3) Inserting language requiring the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Physical Therapy Licensure Compact;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 668, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 668, 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. 485 Health and Human Services on S.B. No. 317**

The purpose and intent of this measure is to adopt the Audiology and Speech-Language Pathology Interstate Compact.

Your Committee received testimony in support of this measure from the United States Department of Defense, Hawaii Medical Service Association, Hawai'i Speech-Language Hearing Association, Audiology & Speech-Language Pathology Interstate Compact Commission, The Council of State Governments National Center for Interstate Compacts, and Hawaii Association of Health Plans. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Board of Speech Pathology and Audiology, and Grassroot Institute of Hawaii.

Your Committee finds that there is a shortage of health care service providers in the State, particularly in rural and underserved communities. Despite this shortage, administrative burdens often delay licensing of practitioners, such as in the fields of audiology and speech-language pathology, preventing qualified practitioners from providing care. To increase access to audiology and speech-language pathology services, this measure adopts the Audiology and Speech-Language Pathology Interstate Compact to facilitate the interstate practice of audiology and speech-language pathology.

Your Committee notes the concerns raised by the Department of Commerce and Consumer Affairs that this measure, as currently written, lacks clarity with respect to the recoupment of licensing fees, privacy rights of practitioners and patients, nature and powers of the Audiology and Speech-Language Pathology Compact Commission, and indemnification of state regulatory entities. Your Committee also notes the testimony submitted by the Board of Speech Pathology and Audiology, which recommends further discussion on the following topics: establishment of the Audiology and Speech-Language Pathology Compact Commission, membership participation fees, authorization of unlicensed services, additional licensing requirements required by the Compact, telehealth feasibility, and economic repercussions. Your Committee respectfully requests your Committee on Commerce and Consumer Protection consider these concerns, should it choose to deliberate on this measure.

Your Committee has amended this measure by:

- (1) Requiring the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 317, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 317, 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. 486 (Majority) Health and Human Services on S.B. No. 323**

The purpose and intent of this measure is to adopt the Occupational Therapy Licensure Compact.

Your Committee received testimony in support of this measure from the United States Department of Defense, Hawaii Medical Service Association, and Hawaii Association of Health Plans. 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, Grassroot Institute of Hawaii, Hawaii Association for Justice, and one individual.

Your Committee finds that there is a shortage of behavioral health care providers in the State, particularly in rural and underserved communities. Despite this shortage, the State does not recognize out-of-state licenses, including those for the practice of occupational therapy, requiring out-of-state licensees to undergo an often redundant application process that delays qualified therapists and therapy assistants from providing care. To eliminate this redundancy and increase access to occupational therapy services, this measure adopts the Occupational Therapy Licensure Compact.

Your Committee notes the concerns raised by the Department of Commerce and Consumer Affairs that the State does not require continuing education for occupational therapists, a condition for licensure renewal under the Occupational Therapy Licensure Compact. Further, the complexity of the Compact's licensure process in comparison to the State's may delay, rather than expedite, licensing in the State. Your Committee also notes, per testimony submitted by the Hawaii Association for Justice, that this measure, as currently written, grants broad immunity to officers or employees rendering aid pursuant to the Occupational Therapy Compact and leaves no legal recourse for individuals who may be harmed. Accordingly, your Committee respectfully requests your Committees on Commerce and Consumer Protection and Ways and Means to consider these issues, should they choose to deliberate on this measure.

Your Committee has amended this measure by:

- (1) Inserting language requiring the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Occupational Therapy Licensure Compact;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 323, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 323, 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, 1 (Awa). Excused, none.

**SCRep. 487 (Majority Health and Human Services on S.B. No. 674**

The purpose and intent of this measure is to adopt the Interstate Medical Licensure Compact.

Your Committee received testimony in support of this measure from the Department of Public Safety, Healthcare Association of Hawaii, The Queen's Health System, AlohaCare, Hawaii Medical Service Association, Hawai'i Primary Care Association, Hawaii Chapter of the American Physical Therapy Association, Federation of State Medical Boards, National Organization for Rare Disorders, Hawaii COPD Coalition, Hawaii Association of Health Plans, Hawai'i Psychiatric Medical Association, Hawaii Medical Association, EveryLife Foundation for Rare Diseases, and Hawai'i Pacific Health. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Medical Board, Hawaii Association for Justice, and Grassroot Institute of Hawaii.

Your Committee finds that there is a shortage of medical providers in the State, particularly in rural and underserved communities. The Interstate Medical Licensure Compact streamlines the licensing process for providers looking to practice across state lines, extending the reach of physicians, improving access to medical specialists, and leveraging the use of medical technologies, such as telehealth. To increase access to health care across the State, this measure authorizes the Governor to enter into the Interstate Medical Licensure Compact on behalf of the State.

Your Committee notes concerns raised by the Hawaii Association for Justice that this measure, as currently written, grants broad immunity to officers or employees rendering aid pursuant to the Interstate Medical Licensure Compact and leaves no legal recourse for individuals who may be harmed. Your Committee also notes the Hawaii Medical Board's request for funds to facilitate the implementation of the Interstate Medical Licensure Compact, including to update its internal database and to establish, recruit, and hire staff. Your Committee respectfully requests your Committees on Commerce and Consumer Affairs and Ways and Means to consider these concerns, should they choose to deliberate on this measure.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Interstate Medical Licensure Compact;
- (2) Inserting a blank appropriation to the Department of Commerce and Consumer Affairs;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 674, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 674, 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, 1 (Awa). Excused, none.

**SCRep. 488 (Majority Health and Human Services on S.B. No. 320**

The purpose and intent of this measure is to adopt the Psychology Interjurisdictional Compact.

Your Committee received testimony in support of this measure from the United States Department of Defense, Hawaii Medical Service Association, AlohaCare, Hawaii Association of Health Plans, and two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Board of Psychology, Hawaii Association for Justice, Grassroot Institute of Hawaii, and Hawai'i Psychological Association.

Your Committee finds that there is a shortage of health care service providers in the State, including psychologists. Access to psychological services is particularly acute for the State's most vulnerable residents, Medicaid beneficiaries, and those living in rural communities. To increase access to services, this measure adopts the Psychology Interjurisdictional Compact to allow psychologists to practice across state lines via telecommunication technologies and in person under certain circumstances.

Your Committee notes the number of concerns raised in testimony submitted on this measure, including those regarding privacy rights of practitioners and patients, nature and powers of the Psychology Interjurisdictional Compact Commission, indemnification for state regulatory entities, authorization of unlicensed services, educational requirements for licensure, and unintended economic repercussions. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting language that:
  - (A) Establishes a working group to study the feasibility and effects of the State adopting the Psychology Interjurisdictional Compact;
  - (B) Designates the membership composition of the working group; and
  - (C) Requires the working group to submit a report to the Legislature;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 320, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 320, 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, 1 (Awa). Excused, none.

**SCRep. 489 Health and Human Services on S.B. No. 1454**

The purpose and intent of this measure is to establish the Therapeutic Psilocybin Working Group within the Department of Health to examine the medicinal and therapeutic effects of psilocybin or psilocybin-based products vis-à-vis mental health and the effectiveness of those products that have been legalized in other certain states, develop a long-term strategic plan to allow access to medicinal psilocybin for certain adults, and report its findings and recommendations to the Legislature before the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Office of the Wellness and Resilience; Happy Happy Happy LLC dba Beyond Mental Health; Honolulu Psychotherapy LLC; Drug Policy Forum of Hawai'i, Inc.; Malama Mushrooms LLC; Veterans of War; Heroic Hearts Project, Inc.; Dawn Patrol Assessments, LLC; The Resort Group; Rainbow Tribal Culture Church of the Mother Earth; and sixty-two individuals. Your Committee received comments on this measure from the Department of Health and Hawaii Substance Abuse Coalition.

Your Committee finds that research being conducted on use of psilocybin and psilocybin-based products in treating mental health disorders caused by traumatic experiences, specifically depression, have suggested substantial antidepressant effects. Your Committee further finds that the United States Food and Drug Administration has designated treatment that uses psilocybin in a therapeutic manner for treatment-resistant depression as a "breakthrough therapy", and that two states, namely Oregon and Colorado, have legalized medicinal psilocybin as a tool to deal with various mental health conditions. This measure will allow the Legislature to make an informed decision on whether the State should, and if so, how the State can enable certain adults to safely access affordable therapeutic psilocybin or psilocybin-based products in the State.

Your Committee has amended this measure by:

- (1) Replacing the Director of Health with the Executive Director of Office of Wellness and Resilience as the chairperson of the Therapeutic Psilocybin Working Group;
- (2) Inserting a blank appropriation to the Department of Health for the Therapeutic Psilocybin Working Group;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1454, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1454, 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. 490 (Majority) Health and Human Services on S.B. No. 319**

The purpose and intent of this measure is to adopt the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact.

Your Committee received testimony in support of this measure from the United States Department of Defense, Hawaii Medical Service Association, and Hawaii Association of Health Plans. Your Committee received testimony in opposition to this measure from

the Hawaii Medical Board. Your Committee received comments on this measure from the Grassroot Institute of Hawaii and Hawaii Association for Justice.

Your Committee finds that there is a shortage of health care service providers in the State, particularly in rural and underserved communities. Despite this shortage, the State does not recognize out-of-state licenses, including those of emergency medical services personnel, requiring out-of-state licensees to undergo an often redundant application process that delays qualified personnel from providing services. To eliminate this redundancy and increase access to emergency medical services, this measure adopts the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact. However, your Committee notes concerns raised by the Hawaii Medical Board that this measure, as currently written, may conflict with state law, lacks clarity regarding scope of practice for emergency medical services personnel, and may not be financially feasible. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting language that:
  - (A) Establishes a working group to study the feasibility and effects of the State adopting the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact;
  - (B) Designates the membership composition of the working group; and
  - (C) Requires the working group to submit a report to the Legislature;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 319, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 319, 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, 1 (Awa). Excused, none.

#### **SCRep. 491      Government Operations on S.B. No. 814**

The purpose and intent of this measure is to require the Office of Enterprise Technology Services, in consultation with the Office of Language Access and a working group composed of stakeholders, to develop and publish, and periodically review and update, electronic information technology multilingual accessibility standards to be implemented by all state entities.

Your Committee received testimony in support of this measure from the Office of Language Access, Office of Enterprise Technology Services, Hawaii Coalition for Immigrant Rights, The Legal Clinic, Hawai'i Workers Center, Hawai'i Friends of Civil Rights, Hawai'i children's Action Network Speaks!, and five individuals. Your Committee received comments on this measure from the Disability and Communication Access Board.

Your Committee finds that Hawaii has one of the highest per-capita rates of limited English proficient individuals in the nation. Uniform standards are needed to ensure compliance with state and federal language access laws across all state agencies so that state entities are proactively addressing multilingual accessibility in communications, information technology development, and the technology procurement processes. Digital delivery systems provide critical information and services to the public. Further, your Committee finds that providing persons who have limited English proficiency with government digital information could encourage their participation in government services, programs, and activities. This measure would establish electronic information technology, multilingual accessibility standards, provide a critical link to communication, and make government services accessible for all individuals regardless of their language proficiency.

Your Committee has heard the testimony of the Office of Enterprise Technology Services expressing concerns that the standards to be adopted by this measure may have a chilling effect on procurement modernization as the cost and rigors of compliance increase, and that some of the specified enumerations, such as copiers, printers, desktops, and portable computers, are devices themselves, and not language components. Your Committee notes that the testimony recommends amending the definition of "electronic information technology" to exclude systems that are coded in the English language.

Your Committee has amended this measure by:

- (1) Amending the definition of "electronic information technology";
- (2) Appropriating \$100,000 for the establishment of one full-time Program Manager position;
- (3) Inserting an effective date of July 1, 2112, 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 814, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 814, 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. 492 Government Operations on S.B. No. 828**

The purpose and intent of this measure is to:

- (1) Increase the fee for the issuance of an apostille or certification to \$10;
- (2) Establish the Apostilles and Certifications Special Fund; and
- (3) Authorize the Office of the Lieutenant Governor to expend moneys in the fund for operational expenses.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor. 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 Department of the Attorney General.

Your Committee finds that an apostille authenticates the seals and signatures of officials on public documents issued by a federal agency or certified by countries that are members of the 1961 Hague Convention. The Office of the Lieutenant Governor provides approximately 7,500 authentication services annually. Your Committee further finds that this measure will ensure sufficient funding for the Office of the Lieutenant Governor to execute its constitutional obligations.

Your Committee has heard the testimony of the Department of the Attorney General that any funds allocated out of the special fund must be done by legislative appropriation.

Your Committee has amended this measure by:

- (1) Deleting the apostille or non-apostille fee amount;
- (2) Inserting a blank appropriation into and out of the Apostilles and Certification Special Fund;
- (3) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee has inserted a blank appropriation and apostille fee amount. Your Committee requests that should your Committee on Ways and Means choose to consider this measure that they deliberate and calculate the appropriate amount required to fund the Apostilles and Certifications Special Fund for operational expenses and the apostille fee.

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. 828, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 828, 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. 493 (Majority) Government Operations on S.B. No. 1509**

The purpose and intent of this measure is to establish additional funding sources and authorize additional expenditure of moneys for the State Archives Preservation and Long-Term Access Special Fund.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, University of Hawai'i System, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that historic music, audio recordings, and artifacts are preserved at the Hawaii State Archives and available for free public access. Digitizing the recordings and images will make them more readily available and further serve to provide an invaluable resource locally and globally that further cements the cultural impact of the Hawaiian heritage. This measure furnishes the resources sorely needed to expand access to services of the State Archives.

Your Committee has heard the testimony of the University of Hawai'i System expressing concerns that this measure as drafted would expand the scope of the Hawaii State Archives collection beyond historic records of state government and impact the University's library and archival repositories. Additionally, your Committee has heard the concerns of the Department of Budget and Finance that federal funds should not come along with the State Archive's special fund. Your Committee finds merit to these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would expand the scope of the State Archives;
- (2) Deleting language that would have allowed federal and private grant monies to be deposited into the State Archives Preservation and Long-Term Access Special Fund, to ensure that federal grant funds are not maintained in the Trust account;
- (3) Inserting an effective date of July 1, 2112, 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1509, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1509, 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 (Awa). Excused, none.

**SCRep. 494 Government Operations on S.B. No. 1557**

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 Hawaii State Ethics Commission and Department of Accounting and General Services.

Your Committee finds that gifts received from visiting dignitaries have political, cultural, and historic value. A paper certificate has immense value as a representation of the relationship that has been forged between the gifting party and the State. As such, it needs to be tracked, protected, and preserved so that the next time a delegation from the same group visits, these former protocol gifts can be prominently displayed to illustrate the long and storied history between the visitors and the State. Further, your Committee finds that there are no existing statutory provisions for the treatment of protocol gifts. Therefore, when the original recipient of the protocol gift separates from state service, without a clearly defined and maintained list of gifts received, an irretrievable loss can occur thereby negatively affecting the State's ability to showcase the history of interaction between the State and the original gifting party.

Your Committee has heard the testimony of the Hawaii State Ethics Commission expressing concerns that the loan of protocol gifts to an individual after leaving office could foster ethical inconsistencies as it would essentially allow the personal use of state property for potentially long periods of time. Your Committee appreciates that an individual might have nurtured a relationship with the gifting party and that such actions were done in their official capacity on behalf of the State and not as an individual. Therefore, the protocol gifts should not be retained by the individual for private use upon termination of service with the State.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that converted custody of a protocol gift to a personal loan;
- (2) Inserting an effective date of July 1, 2112, 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1557, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1557, 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. 495 (Majority) Government Operations on S.B. No. 1253**

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 written guidance on the relevant legal requirements.

Your Committee received testimony in support of this measure from the Office of Information Practices and two individuals. Your Committee received testimony in opposition to this measure from the Society of Professional Journalists Hawaii Chapter, Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, and two individuals. Your Committee received comments on this measure from the Commission to Promote Uniform Legislation.

Your Committee finds that the existing law does not give the Office of Information Practices the flexibility to determine when informal written guidance would be suitable to resolve an appeal versus a formal written opinion.

Your Committee has heard the testimony of the League of Women Voters of Hawaii and Civil Beat Law Center for the Public Interest in opposition to this measure. Your Committee notes that H.B. No. 2037, S.D. 1, Regular Session of 2022, which was previously passed by the House, is a substantially similar measure that requires the Office of Information Practices to provide a ruling or guidance in writing on open records responses and open meetings complaints. Both parties have indicated that they support the language as drafted in H.B. No. 2037, S.D. 1. Your Committee concludes that the language in H.B. No. 2037, S.D. 1, is preferable because it contains clarifying amendments.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 2037, S.D. 1, a substantially similar measure, which:
  - (A) Defines "guidance", "opinion", and "ruling"; and
  - (B) Requires the Director of the Office of Information Practices to provide either a ruling or guidance in writing on open records responses and open meeting complaints; and
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1253, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1253, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 496 (Majority) Government Operations on S.B. No. 1129**

The purpose and intent of this measure is to raise the procurement threshold for small purchases from \$25,000 to \$50,000.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawai'i State Public Library System. Your Committee received testimony in opposition to this measure from the Subcontractors Association of Hawaii and one individual. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that chapter 103D, Hawaii Revised Statutes, the Hawaii Public Procurement Code is the State's sole source of public procurement policy. The policy is intended to be applied equally and uniformly, provide fairness and open competition on a level playing field, and ensure transparent government disclosure in the procurement and contracting process. Your Committee further finds that the cost of supplies, equipment, materials, and services has increased. The current procurement process is intricate, which often creates a hindrance in expedient and efficient acquisition of routine operational requirements to maintain and improve the State's infrastructure system. The proposed increase of the small purchase procurement threshold is a sensible response to the current purchasing environment.

Your Committee has heard the testimony of the Subcontractors Association of Hawaii expressing concern that an increase of the procurement threshold for small purchases would affect the subcontractor listing clause in chapter 103D, Hawaii Revised Statutes, and severely impact contractors who depend on procurement awards that are less than \$50,000. It is the intention of your Committee to ensure that procurement officers adhere to the small contractor listing clause despite the exception so that small "mom-and-pop" subcontractors can be assured of fair competition for small purchase procurement bid awards.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that procurements greater than \$50,000 for construction shall require security by performance and payment bonds; and
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1129, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1129, 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 (Awa). Excused, none.

**SCRep. 497      Government Operations on S.B. No. 1513**

The purpose and intent of this measure is to require a public agency boards to report any discussion or final action taken during an executive meeting; provided that such disclosure is not inconsistent with the purpose of convening the executive meeting and giving the board discretion to maintain confidentiality.

Your Committee received testimony in support of this measure from the Office of Information Practices. Your Committee received comments on this measure from the University of Hawai'i Board of Regents and Civil Beat Law Center for the Public Interest.

Your Committee finds that the Sunshine Law provides limited exceptions for government boards to hold closed executive sessions, but the minutes of an executive session can only be withheld to the extent necessary to protect the purpose of the executive session. This measure requires information to be reported as a summary of a public agency's executive session while maintaining some level of confidentiality.

Your Committee also finds that this measure will not undermine a board's ability to use executive sessions as authorized in the Sunshine Law and serves to increase the public's access to discussions, deliberations, decisions, and actions of government. Further, your Committee finds that this measure, as interpreted, does not diminish any of the existing responsibilities of the board, but rather adds to the board's responsibilities.

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. 1513 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. 498      Government Operations on S.B. No. 1122**

The purpose and intent of this measure is to require nominees for the position of Deputy Director, First Deputy, or Deputy Chair, as the case may be, of principal departments to be subject to advice and consent of the Senate.

Your Committee did not receive any testimony on this measure.

Your Committee finds that the deputy directors of executive agencies hold vast amounts of power and influence in the State government, and they are responsible for considerable swaths of departmental agencies. Accordingly, your Committee finds that a nominee for the position of Deputy Director, First Deputy, or Deputy Chair should be subject to the advice and consent of the Senate. Further, your Committee feels that advice and consent for deputy directors should be codified in law and not be subject to the whims of the opinion of an attorney general.

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. 1122 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. 499 Education on S.B. No. 971**

The purpose and intent of this measure is to:

- (1) Appropriate funds to the Department of Education to provide public high school and charter school students with bus passes;
- (2) Require the Department of Education to collect certain data on city bus pass usage for public high school and charter school students; and
- (3) Require an annual report to the Legislature.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter School Commission, Hawai'i Climate Change Mitigation and Adaptation Commission, Department of Transportation Services of the City and County of Honolulu, Education Caucus of the Democratic Party of Hawai'i, Ulupono Initiative, and five individuals.

Your Committee finds that while the Department of Education is authorized to provide transportation to students to and from school for students in grades kindergarten through twelve, a bus driver shortage has led to significant lapses in transportation services. In other jurisdictions, student free-fare transportation on public transportation led to higher attendance rates and increases in grade point averages. Additionally, student free-fare transportation also provides free access to public transit for students who commute to and from jobs, visit friends, and run errands.

Your Committee further finds that presently, the Department of Education distributes an average of six hundred city bus passes per month. However, students who qualify must meet strict demographic eligibility requirements, including an active departmental identification number. By simplifying the eligibility requirement, the State can provide increased transportation options to high school students across the State. This measure appropriates funds to the Department of Education to offer student transportation through a city bus pass for public high school and charter school students to offer free, reliable public transportation options.

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. 971, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 971, 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 (Kanuha).

**SCRep. 500 (Majority) Education on S.B. No. 692**

The purpose and intent of this measure is to appropriate funds to the Department of Education to support wide-ranging initiatives for student success.

Your Committee received testimony in support of this measure from the Department of Education and two individuals.

Your Committee finds that education enables Hawaii's children to develop skills essential for life, learn social norms, develop judgment and reasoning, and discern right from wrong. As educating the future generations of Hawaii is of paramount importance, it is incumbent upon current generations to adequately fund the Department of Education to enable the Department to continue to fulfill its commitment to developing the achievement, character, and social-emotional wellbeing of Hawaii's students to their full potential. Accordingly, this measure appropriates funds to the Department of Education for wide-ranging initiatives to fulfill its mission to educate Hawaii's keiki.

Your Committee has amended this measure by:

- (1) Inserting blank appropriation amounts for various Department of Education programs; 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. 692, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 692, 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, 1 (Kim). Excused, 1 (Kanuha).

**SCRep. 501 Education on S.B. No. 832**

The purpose and intent of this measure is to:

- (1) Authorize the counties to transfer land to the School Facilities Authority;
- (2) Exempt the School Facilities Authority from taxes;
- (3) Authorize state and county agencies to render services to the School Facilities Authority upon request; and
- (4) Establish a deadline for the transfer of properties to the Department of Education from the City and County of Honolulu required by Act 272, Session Laws of Hawaii 2019.

Your Committee received testimony in support of this measure from the School Facilities Authority. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the School Facilities Authority is statutorily empowered to redevelop Hawaii's schools into twenty-first century institutions. The redevelopment of Hawaii's schools into vertical schools, teacher and workforce housing, and spaces for community services addresses critical education policy issues and allows Hawaii's keiki to thrive in academic and extracurricular settings. By authorizing the School Facilities Authority to work with various state partners, while also addressing crucial land transfers, the School Facilities Authority can streamline the process to effectuate its work for the benefit of Hawaii's education system.

Your Committee has amended this measure by:

- (1) Authorizing the School Facilities Authority to engage in commercial enterprise activities for the purpose of revenue generation;
- (2) Authorizing the School Facilities Authority to contract to manage the leasing and property management of housing projects; 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. 832, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 832, 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. 502 Education on S.B. No. 1044**

The purpose and intent of this measure is to appropriate funds to hire school-based youth mental health specialists in Department of Education schools.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Youth Services Network, Democratic Party of Hawai'i Education Caucus, Opportunity Youth Action Hawai'i, and three individuals.

Your Committee finds that suicide rates and suicide attempts are disproportionately high among the State's youth. Suicide is the fourth leading cause of death for children between the ages of ten and fourteen and the leading cause of death for young people between the ages of fifteen and twenty-four. Additionally, Native Hawaiians, Pacific Islanders, and other people of color have disproportionately high rates of suicide. Hiring mental health specialists will help provide critical support to Hawaii's youth experiencing mental health issues.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriation is for the hiring of complex-based behavioral health specialists, rather than school-based youth mental health specialists;
- (2) Clarifying that the complex-based behavioral health specialists are for the State's rural public schools;
- (3) Inserting an appropriation amount of \$861,000 to hire complex-based behavioral health specialists for the State's rural public schools; 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1044, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1044, 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. 503 Education on S.B. No. 481**

The purpose and intent of this measure is to:

- (1) Require the Board of Education to develop a Hawaiian Language Medium Education Kindergarten Entry Assessment to be administered by the Department of Education, beginning with the 2026-2027 school year;
- (2) Require the State Public Charter School Commission to adopt the assessment; and
- (3) Require a kindergarten entry assessment be administered within ninety days of a child's admission to kindergarten; provided that the child has not received any other kindergarten assessment within the past one hundred eighty days.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter School Commission, and four individuals. Your Committee received testimony in opposition to this measure from 'Aha Pūnana Leo; Governing Board of Ke Kula 'O Nāwahīokalani'ōpu'u Iki, Laboratory Public Charter School; Ke Kula 'o Samuel M. Kamakau, Laboratory Public Charter School; Kupuna for the Mo'opuna; and one hundred one individuals. Your Committee received comments on this measure from the Hawaii State Teachers Association and one individual.

Your Committee finds that article X, section 4, of the Hawaii State Constitution requires both English and Hawaiian language pathways within public schools. The Department of Education's Hawaiian language medium education program, Ka Papahana Kaiapuni, offers students an education in the medium of Hawaiian language, which incorporates Hawaiian language, history, culture, values, and teaching methodologies to prepare students for college, professional life, and community engagement within a multicultural society. While Act 210, Session Laws of Hawaii 2021, requires the Department of Education to implement a statewide kindergarten entry assessment, the current framework to appropriately evaluate Ka Papahana Kaiapuni students is limited and a

comparable tool in Olelo Hawaii does not exist. To ensure that students entering kindergarten are adequately prepared for their education, a linguistically and culturally appropriate kindergarten entry assessment for Ka Papahana Kaiapuni students is necessary.

Your Committee further finds that is essential for the Department of Education to provide relevant data to the Legislature regarding early learning programs. Therefore, amendments to this measure are necessary to address this issue.

Your Committee has amended this measure by:

- (1) Deleting language that would have established a Hawaiian language kindergarten entry assessment for Department of Education schools;
- (2) Requiring the Department of Education to submit annual reports to the Legislature on early learning programs attendance, including early learning program attendance by school, to determine the need across the State;
- (3) Repealing requirements for the Board of Education to adopt a kindergarten entry assessment administered by the Department of Education;
- (4) Deleting section 1;
- (5) Inserting an effective date of July 1, 3000, 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 481, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 481, 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. 504 (Joint/Majority) Housing and Government Operations on S.B. No. 338**

The purpose and intent of this measure is to:

- (1) Create the Department of Housing; and
- (2) Transfer the Hawaii Community Development Authority (HCDA), Hawaii Housing Finance and Development Corporation, Office of Planning and Sustainable Development, and Hawaii Public Housing Authority (HPHA) under the Department of Housing for administrative purposes.

Your Committees received testimony in support of this measure from the Building Industry Association of Hawaii, Hawai'i YIMBY, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance, Hawaii Community Development Authority, and Hawaii Public Housing Authority.

Your Committees find that increasing the supply of housing on state-owned lands is statewide priority. However, your Committees further find that expertise with housing matters is currently spread across various state departments and agencies, which causes inconsistencies and redundancies in the State's plan to effectively accommodate the housing needs of Hawaii's people. Your Committees believe that centralizing the State's housing agencies within a single department would decrease inconsistencies and redundancies and ensure that the State's various housing initiatives are better coordinated.

Your Committees note that because this measure would administratively attach HPHA to the new Department of Housing rather than the Department of Human Services, the HPHA Board of Directors would still be responsible for the policy and direction of HPHA; therefore, no further amendments are necessary to ensure HPHA's continued compliance with federal requirements regarding the Annual Contributions Contract.

Your Committees have amended this measure by:

- (1) Replacing the Director of Business, Economic Development, and Tourism as a member of HCDA with the Director of Housing;
- (2) Inserting language that would provide for the salary of the Director of Housing; 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 Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 338, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 338, 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 (Aquino).  
Government Operations: Ayes, 4. Noes, 1 (San Buenaventura). Excused, none.

**SCRep. 505 (Joint) Housing and Government Operations on S.B. No. 871**

The purpose and intent of this measure is to:

- (1) Repeal the Board of Directors (Board) of the Hawaii Housing Finance and Development Corporation (HHFDC);
- (2) Require HHFDC to employ an Executive Director to be nominated by the Governor, subject to the advice and consent of the Senate; and

- (3) Transfer the duties and powers of the Board to the Executive Director.

Your Committees received testimony in support of this measure from one individual. Your Committees received testimony in opposition to this measure from the Department of Business, Economic Development, and Tourism; Hawaii Housing Finance and Development Corporation; and one individual. Your Committees received comments on this measure from the League of Women Voters of Hawaii, and Civil Beat Law Center for the Public Interest.

Your Committees find that members of the Board of HHFDC reflect the diversity of the State, ensuring that the interests and concerns from each county are represented. According to testimony received by your Committees, the elimination of the Board will stifle neighbor island representation in policy decisions that can impact resource distribution and housing production on an equitable statewide basis. Amendments to this measure are therefore necessary to address this concern.

Your Committees additionally note the concerns raised in testimony as to whether this measure violates Article XI, section 2 of the Hawaii State Constitution, relating to the management and disposition of natural resources, and whether additional language is needed to require the Executive Director to file a public financial disclosure statement. Your Committees find that the Attorney General has held that lands held by HHFDC fall under the exception for lands set aside for public use and therefore does not violate the State Constitution. Your Committees further find that existing state law requires executive directors for all State agencies and departments disclose their financial interests and therefore additional language in this measure is not necessary to clarify these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have repealed the Board of HHFDC; and
- (2) Clarifying that the purpose of the Board is to serve in an advisory capacity to the Executive Director in carrying out the powers and duties under Chapter 201H, Hawaii Revised Statutes, relating to HHFDC.

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. 871, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 871, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 4; Ayes with Reservations (Kanuha). Noes, none. Excused, 1 (Aquino).

Government Operations: Ayes, 5. Noes, none. Excused, none.

**SCRep. 506 Health and Human Services on S.B. No. 1215**

The purpose and intent of this measure is to expand the definition of preceptor to allow for improved accessibility for providers to receive income tax credits.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawai'i System, Hawai'i State Center for Nursing, Hawai'i Association of Professional Nurses, Kaiser Permanente Hawai'i, Hawai'i Primary Care Association, Hawai'i Pacific Health, Hawai'i Academy of Physician Assistants, Hawai'i Pacific University, Hawai'i – American Nurses Association, The Queen's Health System, and three individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that there is a primary care provider shortage in Hawaii that will be exacerbated by the projected retirements of physicians and advanced practice registered nurses. Academic institutions across Hawaii face challenges in ensuring there will be an adequate number of future health care professionals and are constrained in part by the lack of clinical education sites in Hawaii and the limited supply of qualified primary care preceptors. Training by a preceptor is an integral part of the medical training program. Your Committee finds that one way to encourage participation of preceptors is to offer a tax credit for professionals who serve as preceptors.

Your Committee acknowledges the testimony of the Hawaii Association of Professional Nurses, which requests that behavioral health preceptors be included in this measure.

Accordingly, Your Committee has amended this measure by:

- (1) Inserting language to allow behavioral health care preceptors to be eligible for the tax credit proposed by this measure;
- (2) Amending the purpose section to reflect its amended purpose;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1215, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1215, 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. 507 Health and Human Services on S.B. No. 312**

The purpose and intent of this measure is to:

- (1) Require the Department of Human Services to establish and administer a two-year Infant and Toddler Child Care Worker Subsidy Pilot Program;

- (2) Require the Department of Human Services to submit annual reports on the pilot program's development and administration to the Legislature; and
- (3) Appropriate an unspecified amount of funds for the Infant and Toddler Child Care Worker Subsidy Pilot Program.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Early Learning Board, Hawai'i Children's Action Network Speaks!, Holomua Collaborative, Early Childhood Action Strategy, Hawai'i State Coalition Against Domestic Violence, HPM Building Supply, Hawai'i Gas, AAUW of Hawaii, Domestic Violence Action Center, Hawai'i Association of School Psychologists, Title Guaranty of Hawaii, aio Foundation, Tori Richard, and twenty-three individuals. Your Committee received comments on this measure from the Department of Human Services and the Department of the Attorney General.

Your Committee finds that a strong child care and early education workforce is necessary to support the working families, children, and communities of the State; however, the demand for quality child care and early education far exceeds the number of qualified child care and early education professionals currently available in Hawaii, therefore hindering the efforts to maintain and expand quality, affordable child care and early education programs. This measure will enable the Legislature to make well informed decisions on effective ways to address child care issues by requiring the Department of Human services to establish and administer a two-year pilot program that seeks to retain the existing early child care workforce in licensed infant and toddler centers and report the result to the Legislature.

Your Committee has amended this measure by:

- (1) Clarifying that participation shall also be prohibited to child care workers employed by a private educational institution; and
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion.

Your Committee acknowledges the testimony of the Department of Human Services concerning the constitutionality of this measure, as amended by your Committee, and requests that the Department of the Attorney General review the amended measure to determine whether this measure as amended complies with constitutional requirements.

As affirmed by the record of votes of the members of your Committee on Health and Human Services 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 referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 508 Health and Human Services on S.B. No. 869**

The purpose and intent of this measure is to:

- (1) Clarify that a majority of the members appointed to the Youth Commission shall constitute a quorum to do business; and
- (2) Authorize the Youth Commission to appoint an Executive Director.

Your Committee received testimony in support of this measure from the Hawai'i Youth Services Network. Your Committee received comments on this measure from the Department of Human Services, Office of Youth Services, and one individual.

Your Committee finds that Act 106, Session Laws of Hawaii 2018, established the Youth Commission, whose mission is to advise the Governor and Legislature on the effects of legislative policies, needs, assessments, priorities, programs, and budgets as they relate the youth of the State. Your Committee finds that over the past year, the Youth Commission has struggled with membership and has often not had the ability to establish quorum to conduct official business. This measure will allow the Youth Commission to establish quorum and conduct business.

Your Committee further finds that 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. Your Committee also finds that many commissions are authorized to appoint their own Executive Director. Allowing the Youth Commission to appoint its own Executive Director will give it the opportunity to select an individual to best represent the commission, while providing the necessary administrative support and leadership.

Your Committee acknowledges testimony raising concerns over imposing the responsibility of making employment decisions, which carry inherent legal liability, onto members of the Youth Commission who are aged fourteen to twenty-four years old, who do not have the necessary education or relevant work experience to make such decisions. Your Committee also acknowledges the testimony of the Department of Human Services, stating that there is an existing administrator position for the Youth Commission that is currently open, and if the Legislature prefers an Executive Director instead of the current civil service position, the Department will require an additional appropriation to address the difference in salary and benefits and time to add the new position to the organization. Therefore, amendments to this measure are necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have allowed the Youth Commission to appoint its own Executive Director; 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 869, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 869, 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. 509 (Joint) Health and Human Services and Housing on S.B. No. 898**

The purpose and intent of this measure is to:

- (1) Establish the State Rent Supplement Program for Kupuna that temporarily expands the State Rent Supplement Program to specifically target qualified individuals who are sixty-two years of age or older and are homeless or at imminent risk of becoming homeless;
- (2) Require the Hawaii Public Housing Authority to submit annual reports regarding the State Rent Supplement Program for Kupuna to the Legislature; and
- (3) Appropriate an unspecified amount of funds to be expended by the Hawaii Public Housing Authority for the State Rent Supplement Program for Kupuna, including funding to establish an unspecified number of public housing specialist positions within the Authority.

Your Committees received testimony in support of this measure from the Department of Health Executive Office on Aging; Hawaii Public Housing Authority; AARP Hawai'i; Catholic Charities Hawai'i; Institute for Human Services, Inc.; Democratic Party of Hawai'i Kūpuna Caucus; and four individuals. Your Committees received comments on this measure from the State Procurement Office.

Your Committees find that according to the latest United States Census Bureau data, the poverty rate amongst Americans aged sixty-five and older has increased from 8.9 percent in 2020 to 10.3 percent in 2021. As housing costs and inflation rise, kupuna who rely on retirement income from Social Security or are on fixed incomes are struggling to pay for basic necessities and are therefore forced to cut back on essential expenses, such as food, transportation, and medication just to stretch their finite funds. Your Committees further find that in 2023, close to one thousand kupuna aged fifty-five years and older are expected to be evicted and more than one thousand five hundred kupuna in the same age demographic are expected to experience homelessness in Hawaii. This measure will assist vulnerable kupuna from being displaced from their residence and prevent them from becoming homeless by providing state rent supplement and services to Hawai'i's Kupuna.

Your Committees acknowledge the concerns raised by the State Procurement Office over the exemption this measure affords the Hawaii Public Housing Authority from the Hawaii Public Procurement Code when selecting an organization to administer the State Rent Supplement Program for Kupuna without providing a compelling reason. Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committees have amended this measure by:

- (1) Deleting the provision that would have exempted the Hawaii Public Housing Authority from complying with the Hawaii Public Procurement Code when selecting an organization to administer the State Rent Supplement Program for Kupuna;
- (2) Clarifying that the Hawaii Public Housing Authority shall adopt rules and qualification standards for participants of the State Rent Supplement Program for Kupuna, rather than the long-term rental assistance pilot program;
- (3) Inserting an effective date of December 31, 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 Health and Human Services and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 898, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 898, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

Housing: Ayes, 5. Noes, none. Excused, none.

**SCRep. 510 Health and Human Services on S.B. No. 313**

The purpose and intent of this measure is to:

- (1) Reduce the number of members on the State Rehabilitation Council from twenty-one to fifteen;
- (2) Exempt from term limits the member of the State Rehabilitation Council that represents the client assistance program; and
- (3) Authorize the State Rehabilitation Council to establish a quorum and conduct business without regard to vacancies.

Your Committee received testimony in support of this measure from the Hawaii State Rehabilitation Council, Department of Human Services, Department of Health, and Hawaii Disability Rights Center.

Your Committee finds that section 105 of the federal Rehabilitation Act of 1973, as amended, requires consumers, advocates, and other representatives of individuals with disabilities to participate in the administration and oversight of the State's Vocational Rehabilitation Program. Presently, the State Rehabilitation Council fulfills this mandate and is required for vocational rehabilitation programs to be eligible for and maintain federal vocational rehabilitation funding. Additionally, the State Rehabilitation Council continues to experience challenges with meeting quorum requirements for a variety of reasons, including numerous vacancies and member absences. This measure reduces the number of members on the State Rehabilitation Council from twenty-one to fifteen to comply with federal requirements while also adjusting quorum requirements to continue business to support Hawai'i's vocational rehabilitation needs.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 313 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. 511 Education on S.B. No. 283**

The purpose and intent of this measure is to exclude from the charter school per-pupil funding calculation all amounts relating to programs that provide comparable benefits for all public school students regardless of whether the student is a Department of Education school student or a public charter school student.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association and two individuals. Your Committee received testimony in opposition to this measure from Ka 'Umeke Kā'eo Public Charter School, Ke Kula 'o Samuel M. Kamakau Public Charter School, and one hundred ninety individuals. Your Committee received comments on this measure from the Public Charter School Commission and Ke Kula 'O Nāwahīokalani'ōpu'u Iki Lab Public Charter School.

Your Committee finds that adequate funding has been a long-standing issue for Hawaii's public charter schools. Presently, charter schools' per-pupil operating funds cover items such as salaries, collective bargaining costs, curricula, school supplies, equipment, and utilities. Funding amounts received by charter schools fail to keep pace with the cost of providing high quality education to charter school students, as many schools rely on private donations to fund extra costs including facilities and rent. Without proper funding, charter schools are sometimes forced to hold classes in unstable temporary structures, creating safety hazards for students and educators, and learning distractions for students. This measure excludes from the charter school per-pupil funding calculation all amounts relating to programs that provide comparable benefits for all public school students to ensure charter schools receive funding needed for student success.

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. 283 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 (Richards). Noes, none. Excused, none.

**SCRep. 512 Education on S.B. No. 260**

The purpose and intent of this measure is to:

- (1) Require the Department of Education to employ individuals as vocational, technical, or career pathway teachers; and
- (2) Authorize Department of Education teachers to instruct vocation, technical, or career pathway classes without possessing an applicable bachelor's degree.

Your Committee received testimony in support of this measure from Food+ Policy Internship 2023 and two individuals. Your Committee received comments on this measure from the Department of Education and Hawai'i Teacher Standards Board.

Your Committee finds that the State has an obligation to prepare its students with the tools necessary for successful futures in the modern economy. As a traditional four-year bachelor's degree is becoming increasingly irrelevant for earning potential and job placement, the bachelor's degree is no longer the sole path to economic self-sufficiency. Additionally, many well-paying jobs do not require any level of higher education, with careers in technical and trade industries providing income above the national average, plus benefits. To help prepare Hawaii's keiki for a greater variety of post-high school academic or professional opportunities, this measure requires the Department of Education to hire qualified individuals to teach vocational, technical, or career pathway classes.

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. 260 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, 4. Noes, none. Excused, 1 (Kanuha).

**SCRep. 513 Education on S.B. No. 1022**

The purpose and intent of this measure is to:

- (1) Amend the composition and qualifications of the Early Learning Board to consist of individuals from each county, instead of from particular entities or types of providers; and
- (2) Establish general qualifications for the members of the Early Learning Board appointed by the Governor.

Your Committee received comments on this measure from the Early Learning Board.

Your Committee finds that the Early Learning Board provides crucial input, direction, and oversight necessary for the Executive Office on Early Learning to achieve its statutory responsibilities. Representatives on the Early Learning Board are reflective of the diversity of the early care and education field across the State, providing unique and important input on how to best serve Hawaii's families and young children. However, your Committee notes that the early childhood education needs of each county are different and perspectives from each county allow the Early Learning Board to shape policy to provide quality education and academic preparation to all eligible children. Therefore, amendments to the composition and qualifications of the Early Learning Board are necessary to ensure both statewide and county early childhood education needs are addressed.

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. 1022 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. 514 Education on S.B. No. 1023**

The purpose and intent of this measure is to:

- (1) Appropriate funds for the Preschool Open Doors Program and Executive Office on Early Learning to expand access to preschool and to implement required program changes;
- (2) Expand the types of entities from which a Preschool Open Doors service provider may obtain accreditation;
- (3) Authorize the Preschool Open Doors Special Fund to accept federal funds; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor, Department of Human Services, Executive Office on Early Learning, University of Hawai'i System, Hawaii Children's Action Network Speaks!, Early Childhood Action Strategy, Hui for Excellence in Education, Commit to Keiki, Kamehameha Schools, and one individual. Your Committee received comments on this measure from the Early Learning Board.

Your Committee finds that access to preschool is a social justice issue for the State, as children who attend early learning or high quality preschool programs are better equipped for success. Presently, the Public Pre-Kindergarten Program administered by the Executive Office on Early Learning provides free public pre-kindergarten in thirty-seven classrooms across thirty-four Department of Education campuses. Additionally, childcare subsidies and tuition assistance programs, such as Preschool Open Doors, assists eligible Hawaii families to afford childcare and preschool tuition rates to prepare keiki for their academic careers and educational development. As the costs of childcare and pre-kindergarten programs serve as a formidable barrier to early childhood education, this measure will expand opportunities for Hawaii's young keiki, allowing future generations to grow and thrive.

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. 1023 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. 515 (Majority) Housing on S.B. No. 924**

The purpose and intent of this measure is to:

- (1) Eliminate the home mortgage interest deduction for second homes under Hawaii income tax law; and
- (2) Require the amount of state revenue gained by eliminating the deduction to be deposited into the Rental Housing Revolving Fund.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from Hawai'i Association of REALTORS. 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 more incentives should be directed toward helping residents purchase their first home, rather than toward encouraging ownership of a second home. Not allowing the deduction of mortgage interest for a second home would generate revenues for the State and expand access to affordable housing.

Your Committee has amended this measure by requiring the amount of state revenue gained by eliminating the mortgage interest deduction for a second home to be deposited into the Dwelling Unit Revolving Fund.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it, along with the Department of Taxation, explore ways to best assess the amount of state revenue that will be generated from eliminating the home mortgage interest deduction as provided in this measure.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 924, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 924, 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 (Awa). Excused, none.

**SCRep. 516 (Majority) Housing on S.B. No. 1462**

The purpose and intent of this measure is to establish an organizational and regulatory framework for limited-profit housing associations.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Department of Taxation; and Office of the Auditor.

Your Committee finds that it would be in the best interest of the State to consider Vienna's Limited-Profit Housing Act of 1979 as a model to sustainably finance the development of affordable housing in the State. Profits generated by a limited-profit housing association are used to build more housing, which means that each new public housing project built enables the creation of more housing. This measure offers entrepreneurs and investors a sustainable option to develop long-term housing in the State.

Your Committee has amended this measure by:

- (1) Deleting language that would have:
  - (A) Required the State Auditor or their designee to serve as the chair of the Limited-Profit Housing Council;
  - (B) Required the Commissioner of Financial Institutions or their designee to serve on the Limited-Profit Housing Council;
  - (C) Required limited-profit housing associations to undergo an annual audit and publicly post an annual report;
  - (D) Defined and established limited-profit housing supervisory boards; and
  - (E) Established two working groups;
- (2) Inserting language that requires the Executive Directors of the Hawaii Housing Finance and Development Corporation and Hawaii Public Housing Authority to serve as co-chairs of the Limited-Profit Housing Council; 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. 1462, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1462, 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, 1 (Awa). Excused, none.

**SCRep. 517 (Joint/Majority) Public Safety and Intergovernmental and Military Affairs and Water and Land on S.B. No. 1127**

The purpose and intent of this measure is to appropriate funds for three full-time equivalent positions under the Department of Law Enforcement to provide security at small boat harbors on Maui.

Your Committees received testimony in support of this measure from the Department of Law Enforcement and Quicksilver Charters, LLC.

Your Committees find that conditions at Lahaina Harbor are both unsafe and unsanitary due to a rise in theft, vandalism, and littering of dangerous refuse, such as used needles. Your Committees believe that funding is needed to reinforce state law enforcement presence in Lahaina Harbor and other similarly affected small boat harbors. This measure will improve public safety and complement the Department of Law Enforcement's vision of building strong partnerships with the community and first response agencies for addressing community-wide challenges that impact community welfare by appropriating funds to the Department of Law Enforcement for three full-time equivalent positions to provide security at small boat harbors on Maui.

Your Committees have amended this measure by:

- (1) Inserting language requiring the Division of Boating and Ocean Recreation, in collaboration with the County of Maui and any other private entities the Division of Boating and Ocean Recreation and County of Maui deem necessary, to submit a report to the Legislature regarding the transfer of the rights for certain small boat harbors on Maui;
- (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 Public Safety and 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. 1127, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1127, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, 1 (Awa). Excused, none.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 518 Water and Land on S.B. No. 300**

The purpose and intent of this measure is to prohibit the expenditure of public moneys for any land improvement if the land is not owned or leased by the State, unless the funds are appropriated by the Legislature or the Legislature approves the expenditure by concurrent resolution.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Department of Budget and Finance and Department of the Attorney General.

Your Committee finds that it is generally good government practice to avoid appropriating state funds for the improvement of private property, although at times, doing so can in fact serve a public purpose. The funds of the State belong to the public fisc and are entrusted for the benefit of all the people of the State. Article VII, section 4, of the Hawaii State Constitution provides, "No tax shall be levied or appropriation of public money or property made, nor shall the public credit be used, directly or indirectly, except for a

public purpose". It is generally for the Legislature to decide what constitutes a "public purpose". Therefore, this measure prohibits the expenditure of public funds for any land improvement if the land is not owned or leased by the State, unless the funds are appropriated by the Legislature or the Legislature approves the expenditure by concurrent resolution.

Your Committee has heard the testimony of the Department of the Attorney General, expressing concern that a concurrent resolution cannot fulfill the appropriation requirement of article VII, section 5, of the Hawaii State Constitution, which provides, "No public money shall be expended except pursuant to appropriations made by law". The Department testified that a concurrent resolution merely expresses the sentiment of the Legislature, and does not have the force and effect of law.

Therefore, your Committee has amended this measure by:

- (1) Deleting language that would have allowed the Legislature to approve the expenditure of public moneys for certain land improvements via concurrent resolution;
- (2) Requiring that the Legislature also make a declaration of public purpose regarding any appropriation of the public moneys that are used to improve private lands;
- (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. 300, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 300, 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. 519 Water and Land on S.B. No. 353**

The purpose and intent of this measure is to clarify that when trespass involves public land, all state and county law enforcement officers are authorized to and shall enforce trespass laws, without regard to whether the land is owned by the State or by a county.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that trespassing, whether on State or county lands, threatens the health and safety of the community. However, your Committee finds that better coordination is needed between law enforcement agencies who routinely decline responding to trespassing by citing their lack of jurisdiction. This measure will make government more effective and expedite the enforcement of trespass laws.

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. 353, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 353, 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. 520 Water and Land on S.B. No. 463**

The purpose and intent of this measure is to:

- (1) Require each county to adopt, no later than June 30, 2024, ordinances applicable to subdivisions not approved by July 1, 2024, requiring as a condition of approval, the subdivider or developer to obtain a street address and install a mailbox for lots, parcels, structures, or units of a structure within the subdivision before the sale or lease thereof; and
- (2) Require condominium maps recorded in the Bureau of Conveyances or registered in the Land Court after June 30, 2024, to include a mailbox plan for the condominium property regime, showing the location of all mailboxes for all units in the regime.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu and one member of the Maui County Council.

Your Committee finds that the ability to receive and send mail is of the utmost importance to a homeowner or renter. Through the mail, a person can pay their utility bills, obtain important medicines, or send personal correspondence to friends and family. However, your Committee finds that not all units within a condominium property regime have a mailbox that can be serviced by the United States Postal Service. Therefore, this measure ensures that all lots, parcels, structures, and units of structures located within newly created subdivisions and all units located within newly created condominium property regimes in the State have a mailbox that can be utilized by the United States Postal Service to deliver mail, should the United States Postal Service decide to extend its delivery services to the location.

Your Committee has amended this measure by:

- (1) Requiring that, prior to the sale of residential real property, the property owner shall make a good faith declaration as to the existence, or lack thereof, of a United States Postal Service deliverable mailbox for the property being sold;
- (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 Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 463, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 463, 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. 521 Water and Land on S.B. No. 937**

The purpose and intent of this measure is to:

- (1) Specify that a simple majority of affirmative votes by members of the Land Use Commission is required for any boundary amendment; and
- (2) Reduce the number of days by which the Land Use Commission must act for certain actions related to amendments to district boundaries.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS. Your Committee received comments on this measure from the Department of the Attorney General, Land Use Commission, and Grassroot Institute of Hawaii.

Your Committee finds that delays in land use permitting and approvals substantially increase the time and cost required to build new housing. A study on the burden of housing regulation from the University of Hawaii Economic Research Organization indicates that the average length of approval delay in Hawaii is three times the national mean, leading to uncertainty and expense that disincentivizes development.

Your Committee finds that under existing law, six out of the nine members of the Land Use Commission must affirmatively vote to approve any boundary amendment. In addition, the Land Use Commission is required to hold a hearing within not less than sixty and not more than one hundred eighty days. Your Committee finds that adjusting the laws governing the Land Use Commission approval process will expedite the development process and help address the State's excessive permit and approval times. Therefore, this measure specifies that a simple majority of affirmative votes by members of the Land Use Commission is required for any boundary amendment and reduces the number of days by which the Land Use Commission must act for certain actions related to amendments to district boundaries.

Your Committee has heard the testimony of the Department of the Attorney General, expressing concern that the term "simple majority" is vague with respect to how the simple majority should be calculated and that additional clarity would be useful.

Therefore, your Committee has amended this measure by:

- (1) Clarifying that a simple majority of affirmative votes of members present at a meeting and qualified to vote shall be necessary for any boundary amendment; 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. 937, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 937, 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. 522 Water and Land on S.B. No. 1391**

The purpose and intent of this measure is to authorize the Board of Land and Natural Resources to place a lien on property for noncompliance with administrative enforcement action.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Surfriider Foundation Hawai'i Region, and four individuals.

Your Committee finds that coastal erosion and rising seas are threatening Hawaii's iconic beaches and shoreline homes throughout the State. Your Committee further finds that private property owners whose property abuts public beaches are building erosion control structures on public beaches, and encroaching upon public trust land, to protect their private properties. While shoreline hardening protects private property, it can destroy the public beaches for which Hawaii is world renowned. Moreover, debris from illegal structures such as rocks, concrete, rebar, and textiles can create public hazards along the shoreline and in the water.

Your Committee finds that amending the law is necessary to aid the Department of Land and Natural Resources in resolving encroaching structures that are largely unpermitted or remain under expired permits far beyond their allotted authorization. Therefore, this measure authorizes the Board of Land and Natural Resources to place a lien on property for noncompliance with administrative enforcement action.

Your Committee has amended this measure by:

- (1) Allowing any state or county agency, board, or commission imposing an administrative enforcement action to record in the Bureau of Conveyances a notice of the pendency of the action pursuant to section 634-51, Hawaii Revised Statutes;
- (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. 1391, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1391, 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. 523 Water and Land on S.B. No. 1549**

The purpose and intent of this measure is to appropriate funds to the Department of Land and Natural Resources for operating costs and personnel to manage certain trailheads as part of the Na Ala Hele Trail and Access Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Sierra Club Hawaii Island Group, and fifteen individuals.

Your Committee finds that visitors are attracted to Hawaii because of the State's natural beauty, natural resources, cultural resources, and historical sites. However, many of these sites are overwhelmed by the sheer number of visitors and residents who flock to these sites during their stay in Hawaii. Your Committee finds that with the dramatic increase in trail use, intensified by residents who escaped to the outdoors during the COVID—19 pandemic and visitors exposed to the trails via social media influences, additional resources are needed. Your Committee finds that the lack of staffing to address these hotspots leads to residents complaining about blocked driveways, illegal parking on state and county roadways, lack of restroom facilities, constant noise, lack of on-street parking for residential use, use of residential water hoses to clean up, and use of residential yards to gather and unwind from the day's activities. Therefore, this measure appropriates funds to help remedy these issues.

Your Committee has amended this measure by:

- (1) Inserting blank appropriation 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. 1549, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1549, 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. 524 (Joint/Majority) Judiciary and Health and Human Services on S.B. No. 1540**

The purpose and intent of this measure is to:

- (1) Expand the Criminal Justice Diversion Program;
- (2) Amend the allowable period of court-ordered assisted community treatment and considerations for extensions;
- (3) Allow courts to require certain probation violators to undergo mental health evaluation and treatment as a condition of continued probation;
- (4) Require the Department of Health to contract with behavioral health crisis centers; and
- (5) Appropriate funds.

Your Committees received testimony in support of this measure from the Judiciary, Department of Health, Honolulu Police Department, Hawaii Substance Abuse Coalition, and two individuals. Your Committees received comments on this measure from the Department of the Attorney General and Office of the Public Defender.

Your Committees recognize the importance of the proper diagnosis, treatment, and rehabilitation of those defendants undergoing mental health or disease issues and the importance of reducing the recidivism rates of those individuals upon release. Your Committees find that the Criminal Justice Diversion Program, as it applies to those left unfit by a mental disease, disorder, or defect, is limited to certain petty misdemeanor offenses. Because of this limitation, there have not been many defendants able to participate in the Criminal Justice Diversion Program. This measure will improve the government response to individuals suffering from mental health challenges, particularly for those who may become, or already are, involved in the justice system.

Your Committees have amended this measure by:

- (1) Clarifying the facilities under which the Director of Public Safety and Chief Justice of the Hawaii Supreme Court are to establish procedures regarding telehealth resources;
- (2) Clarifying the instances in which the court is to appoint one qualified examiner to examine and report upon the defendant's fitness to proceed;
- (3) Adding an advanced practice registered nurse who has the prescriptive authority and who holds an accredited national certification in an advanced practice registered nurse psychiatric specialization to the list of those who can act as court appointed examiners;
- (4) Inserting an effective date of March 22, 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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1540, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1540, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

Health and Human Services: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 525 Agriculture and Environment on S.B. No. 1588**

The purpose and intent of this measure is to appropriate funds to the Department of Agriculture to establish and implement a GroupGAP Food Safety Training and Certification Program.

Your Committee received testimony in support of this measure from the Department of Education; Department of Agriculture; University of Hawai'i College of Tropical Agriculture and Human Resources; Hawaii Cattlemen's Council, Inc.; Ulupono Initiative; Hawai'i Farm Bureau; and four individuals. Your Committee received comments on this measure from the North Shore Economic Vitality Partnership.

Your Committee finds that achieving food safety certifications is an important aspect in sustaining local food production. A GroupGap program will reduce costs for producers and make Good Agricultural Practices certifications more accessible to small farmers and ranchers. This measure will establish and implement the GroupGAP Food Safety Training and Certification Program within the Department of Agriculture.

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 is in accord with the intent and purpose of S.B. No. 1588, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1588, 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. 526 (Majority) Agriculture and Environment on S.B. No. 426**

The purpose and intent of this measure is to implement the recommendation of the Cesspool Conversion Working Group to accelerate the dates for required upgrades, conversions, or connections of priority level 1 cesspools and priority level 2 cesspools by requiring priority level 1 cesspools to be upgraded, converted, or connected before January 1, 2030, and priority level 2 cesspools to be upgraded, converted, or connected before January 1, 2035, rather than before January 1, 2050.

Your Committee received testimony in support of this measure from the Department of Health, Wastewater Alternatives and Innovations, Hawai'i Reef and Ocean Coalition, and two individuals. Your Committee received comments on this measure from Hawai'i REALTORS.

Your Committee finds that the State has mandated the upgrade, conversion, or connection of all cesspools in Hawaii by 2050. However, it has become clear that these cesspools are an imminent danger and must be resolved immediately in order to avoid preventable damage to the soil, environment, and ground water sources. Thus, this measure accelerates the upgrade, conversion, and connection deadlines for priority one and priority two cesspools to 2030 and 2035, respectively, to protect the public and environment from preventable harm.

Your Committee has amended this measure by updating the references to the University of Hawai'i 2021 Hawaii Cesspool hazard assessment and prioritization tool by replacing it with the University of Hawai'i 2022 Hawaii cesspool hazard assessment and prioritization tool, as recommended by the Department of Health.

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. 426, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 426, 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, Richards). Noes, 1 (Awa). Excused, none.

**SCRep. 527 Health and Human Services on S.B. No. 602**

The purpose and intent of this measure is to:

- (1) Establish permitting and education requirements for pharmacists performing certain diagnostic tests or tests waived pursuant to the Clinical Laboratory Improvement Amendments of 1988 (CLIA); and
- (2) Expand the definition of "practice of pharmacy" to include the performance of certain diagnostic or CLIA-waived tests.

Your Committee received testimony in support of this measure from the Board of Pharmacy, University of Hawai'i at Hilo, Walgreen Co., Hawai'i Pharmacists Association, Times Pharmacy, and two individuals. Your Committee received testimony in opposition to this measure from Clinical Labs of Hawaii.

Your Committee finds that the coronavirus disease 2019 pandemic highlighted the critical need to address health care testing accessibility and streamline unnecessary administrative regulations. While pharmacists possess the skills and knowledge necessary to perform diagnostic and CLIA-waived tests, which are non-technical and present a low risk for erroneous results, pharmacists' scope of practice under existing state law does not explicitly authorize performance of these tests. To clarify this ambiguity, this measure



amends pharmacists' scope of practice to explicitly include the ordering and performance of certain diagnostic-related and CLIA-waived tests.

Your Committee has amended this measure by:

- (1) Clarifying that, unless otherwise authorized by law, no pharmacist shall order, or perform the collection of specimens for, certain diagnostic-related and CLIA-waived tests without first obtaining a permit;
- (2) Clarifying that, before ordering, or performing the collection of specimens for, certain diagnostic-related and CLIA-waived tests, the pharmacist shall have completed certain training;
- (3) Clarifying the definition of "practice of pharmacy" to include ordering certain tests and performing the collection of specimens for certain tests authorized or approved by the United States Food and Drug Administration;
- (4) Amending section 1 to reflect its amended purpose;
- (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 record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 602, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 602, 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 (Shimabukuro).

**SCRep. 528 (Majority) Health and Human Services on S.B. No. 321**

The purpose and intent of this measure is to adopt the Advanced Practice Registered Nurse Compact.

Your Committee received testimony in support of this measure from the United States Department of Defense, AlohaCare, Hawaii Medical Service Association, Hawaii Association of Health Plans, and two individuals. Your Committee received testimony in opposition to this measure from the Board of Nursing, Hawaii Association of Nurse Anesthesiology, Hawaii Society of Anesthesiologists, and three individuals. Your Committee received comments on this measure from the University of Hawai'i System, Hawai'i State Center for Nursing, Hawaii Association for Justice, Hawai'i Pacific Health, Hawai'i – American Nurses Association, Grassroot Institute of Hawaii, American Association of Nurse Practitioners, and Hawai'i Association of Professional Nurses.

Your Committee finds that there is a shortage of health care service providers in the State, particularly in rural and underserved communities. A 2021 report from the Hawai'i State Center for Nursing estimated that more than three hundred nurses are needed throughout the State to meet the demand for care. To address the shortage of nurses in the State, this measure would adopt the Advanced Practice Registered Nurse Compact to encourage recruitment of advanced practice registered nurses to the State. In addition, your Committee notes the number of concerns raised in testimony submitted to your Committee regarding scope of practice under the Compact and licensure and regulation standards, including a requirement for postgraduate practice hours. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting language that:
  - (A) Establishes a working group to study the feasibility and effects of the State adopting the Advanced Practice Registered Nurse Compact;
  - (B) Designates the membership composition of the working group; and
  - (C) Requires the working group to submit a report to the Legislature;
- (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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 321, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 321, 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, 1 (Awa). Excused, none.

**SCRep. 529 Health and Human Services on S.B. No. 1340**

The purpose and intent of this measure is to:

- (1) Increase the number of competent personnel available to support public school students by expanding the exemption from the behavior analyst licensing requirements for teachers working in collaboration with a licensed behavior analyst or licensed psychologist; and
- (2) Remove the exemption from the behavior analyst licensing requirements for direct support workers and allow a registered behavior technician who is under the direction of a licensed psychologist to implement applied behavioral analysis services.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Education, State Council on Developmental Disabilities, Hawaii State Teachers Association, and Special Education Advisory Council. Your Committee received comments on this measure from the Hawai'i Association for Behavior Analysis, Hawaii Disability Rights Center, and Together For Our Keiki.

Your Committee finds that the Department of Education is finding it increasingly difficult to attract and retain qualified licensed behavior analysts for the public school system. A large portion of the applied behavioral analysis services provided must be contracted through a statewide contract at a high cost. A cost-effective option to meet this shortage of behavior analysts would be to utilize qualified and competent personnel who may be able to implement, but not design, applied behavioral analysis services in direct collaboration with a licensed behavior analyst or a licensed psychologist. This measure makes this solution possible, as appropriate interventions are part of a classroom teacher's duties and scope of practice.

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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1340, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1340, 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 (Shimabukuro).

**SCRep. 530 Health and Human Services on S.B. No. 451**

The purpose and intent of this measure is to:

- (1) Establish a cultivation facility license that allows cultivators to grow cannabis for sale only to licensed medical cannabis dispensaries;
- (2) Establish requirements for license applications and qualifications for applicants and licensees;
- (3) Limit the number of cannabis plants grown at each cultivation facility to one thousand;
- (4) Authorize the Department of Health to determine the number of cultivation licenses to be issued;
- (5) Allow one cultivation license to be issued per tax map key number;
- (6) Allow cultivation facilities to be established on lands zoned for certain uses;
- (7) Require the Office of Medical and Cannabis Control and Regulation to administer the licensure and regulation of cultivation facilities;
- (8) Establish requirements for cultivation facility operations, including plant tracking and testing;
- (9) Establish penalties for violations related to the unauthorized access of cultivation facilities and diversion of product;
- (10) Require the Department of Health to disclose certain information regarding cultivation facilities upon request of law enforcement; and
- (11) Subject cultivation facilities to certain inspections, audits, and reporting requirements.

Your Committee received testimony in support of this measure from Maui Wellness Group, LLC, dba Maui Grown Therapies, and Aloha Green Holdings Inc. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health, Department of the Attorney General, State Procurement Office, and one individual.

Your Committee finds that currently, only medical cannabis dispensary license holders may legally cultivate and sell medical cannabis in retail locations. Your Committee further finds that allowing residents, farmers, and families to grow cannabis for retail would provide a positive social and economic impact across the State and creates better access to safe, regulated products for qualified patients. This measure creates a cultivation license that allows cultivators to grow cannabis for sale to licensed dispensaries.

Your Committee acknowledges the testimony of the Department of the Attorney General, which proposed amendments to clarify that cultivation facilities shall not manufacture, produce, purchase, or sell manufactured cannabis products. Your Committee further notes the request by the State Procurement Office to subject procurement of the computer software tracking system for dispensaries and cultivation facilities to the Hawaii Public Procurement Code. Your Committee has also heard the concerns raised by the Department of Health regarding the lack of rules governing the security and record keeping by for licensed cultivation facilities.

Accordingly, your Committee has amended this measure by:

- (1) Making amendments throughout the measure to clarify that licensed cultivation facilities shall not manufacture, produce, purchase, or sell manufactured cannabis products;
- (2) Repealing language that exempts the procurement of the computer software tracking system for dispensaries and cultivation facilities from the Hawaii Public Procurement Code under certain conditions;
- (3) Requiring the Department of Health to adopt rules governing licensed cultivation facilities, including rules that address security and record keeping requirements analogous the rules for dispensary facilities; provided that the rules for licensed cultivation facilities shall be tailored to purchasers of licensed cultivation facilities, which are limited to licensed dispensaries;

- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 451, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 451, 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. Noes, none. Excused, none.

**SCRep. 531 (Joint) Health and Human Services and Transportation and Culture and the Arts on S.B. No. 465**

The purpose and intent of this measure is to authorize qualifying patients and qualifying out-of-state patients to transport cannabis between islands of the State for personal medical use.

Your Committees received testimony in support of this measure from the Drug Policy Forum of Hawai'i, Inc.; Aloha Green Holdings Inc.; Aloha Medical Consultants LLC dba Akamai Cannabis Consulting; CKL LLC dba Cannabis Society of Hawai'i; 808 Health LLC dba Hawaii Cannabis Industry Association; and ten individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Transportation, Department of Health, and Department of the Attorney General.

Your Committees find that restricting the interisland transportation of cannabis by patients for their personal medical use is contrary to the intent of existing laws that authorize qualifying patients to use cannabis for medical purposes. This measure protects the rights of qualifying patients and qualifying out-of-state patients to use medical cannabis by specifically authorizing the interisland transportation of cannabis, usable cannabis, or any manufactured cannabis product for the patient's personal medical use.

Your Committees acknowledge the concerns raised in testimony that interisland travel is subject to federal law enforcement policies of both the Transportation Security Administration and Federal Aviation Administration that prohibit transportation of cannabis and impose severe penalties on airlines and airline personnel who knowingly transport or allow the transportation of a certain amount of cannabis. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language providing that no individual or entity shall be required to violate federal law;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Amending section 1 to reflect its amended purpose.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 465, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 465, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair and President on behalf of the Committees.  
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).  
Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

**SCRep. 532 (Joint) Energy, Economic Development, and Tourism and Water and Land on S.B. No. 65**

The purpose and intent of this measure is to:

- (1) Incorporate a regenerative framework into the State Planning Act by expanding objectives and policies for the visitor industry; and
- (2) Require an update to the State Tourism Functional Plan to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development, Hawai'i Tourism Authority, Environmental Caucus of the Democratic Party of Hawai'i, and one individual. Your Committees received comments on this measure from the Maui Hotel and Lodging Association.

Your Committees find that the ethic of malama, or care and stewardship, is the core of the Hawaii Tourism Authority's visitor education and destination management efforts. Your Committees believe that regenerative tourism builds upon the malama ethic. This measure will balance the economics of tourism with the wellbeing of the State's communities and natural resources by incorporating a regenerative framework into the State Planning Act and requiring the Governor to update the State Tourism Functional Plan to be submitted to the Legislature.

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. 65 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, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).  
Water and Land: Ayes, 3. Noes, none. Excused, 2 (Chang, Fevella).

**SCRep. 533 Energy, Economic Development, and Tourism on S.B. No. 1482**

The purpose and intent of this measure is to establish and appropriate funds to the Aerospace Development Office within the Hawaii Technology Development Corporation.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Bushtex, Inc.; HNu Photonics, LLC; and one individual. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that Hawaii's strategic near-equatorial location, substantial telemetry, space surveillance, Moon- and Mars-like terrain, resident expertise in a broad range of aerospace-related technologies, and long-standing ties with space-faring nations throughout the Asia-Pacific region are strategic assets and capabilities that can be leveraged to help realize humankind's full potential in space, and in doing so establish the State as a major contributor to and beneficiary of global space enterprise. Your Committee believes that establishing the Hawaii Office of Aerospace Development will provide a focal point within state government to facilitate dialogue and coordination among Hawaii's public, private, and academic sectors, and between state-based entities and public and private overseas organizations to promote the growth and diversification of Hawaii's aerospace industry. This measure will allow the State to more efficiently direct its resources in the field of aerospace by establishing the Aerospace Development Office within the Hawaii Technology Development Corporation and making an appropriation to further its purpose.

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. 1482 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 (Fukunaga, Fevella).

**SCRep. 534 (Joint) Energy, Economic Development, and Tourism and Water and Land on S.B. No. 580**

The purpose and intent of this measure is to transfer the Office of Planning and Sustainable Development from the Department of Business, Economic Development, and Tourism to the Department of Land and Natural Resources.

Your Committees received testimony in support of this measure from The Outdoor Circle. Your Committees received comments on this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, Land Use Commission, and Department of Agriculture.

Your Committees find that the protection of natural and cultural resources is one of the priority objectives and goals of the Hawaii State Plan that the Office of Planning and Sustainable Development supports. Your Committees believe that the Office of Planning and Sustainable Development will be able to accomplish this objective more effectively if placed within the Department of Land and Natural Resources instead of the Department of Business, Economic Development, and Tourism. Accordingly, this measure will improve government efficiency by transferring the Office of Planning and Sustainable Development from the Department of Business, Economic Development, and Tourism to the Department of Land and Natural Resources.

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. 580, S.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.  
Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).  
Water and Land: Ayes, 3. Noes, none. Excused, 2 (Chang, Fevella).

**SCRep. 535 Energy, Economic Development, and Tourism on S.B. No. 459**

The purpose and intent of this measure is to appropriate funds from the Hydrogen Fueling System Subaccount within the Public Utilities Commission Special Fund for the Zero-Emission Vehicle Fueling System Rebate Program.

Your Committee received testimony in support of this measure from the Public Utilities Commission and Servco Pacific, Inc.

Your Committee finds that the demand for alternative forms of refueling vehicles will continue to grow to meet the State's renewable energy goals. However, a significant barrier to the adoption of zero-emission vehicles is access to fueling stations. The Zero Emission Vehicle Fueling System Rebate Program was established in 2022 and requires a direct appropriation for the Public Utilities Commission to expend the barrel tax funds deposited into the Hydrogen Fueling System Subaccount. This measure is accordingly necessary to implement the Rebate Program and further promote the delivery of clean hydrogen to help the State meet its renewable energy goals.

Your Committee has amended this measure by deleting the appropriation of \$1,000,000 and inserting a blank amount.

Should your Committees on Ways and Means and Commerce and Consumer Protection choose to deliberate on this measure, your Committee respectfully requests that they consider inserting an appropriation amount of \$1,000,000.

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. 459, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 459, S.D. 1, and be referred to your Committees on Ways and Means and Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 536 Energy, Economic Development, and Tourism on S.B. No. 691**

The purpose and intent of this measure is to:

- (1) Authorize the Chief Energy Officer of the Hawaii State Energy Office, instead of the Director of Business, Economic Development, and Tourism, to adopt rules to enforce minimum efficiency standards for certain products and adopt or amend minimum efficiency standards in certain situations; and
- (2) Regulate the minimum efficiency standards for air purifiers, electric vehicle supply equipment, portable electric spas, residential ventilating fans, toilets, urinals, and water coolers.

Your Committee received testimony in support of this measure from the Honolulu Board of Water Supply, Blue Planet Foundation, Hawai'i Energy, Appliance Standards Awareness Project, Climate Protectors Hawaii, and Ulupono Initiative. Your Committee received testimony in opposition to this measure from the Association of Home Appliance Manufacturers. Your Committee received comments on this measure from the Hawaii State Energy Office and Home Ventilating Institute.

Your Committee finds that numerous states have adopted robust state energy and water efficiency standards to conserve and protect water resources, lower electricity bills for residents and businesses by millions of dollars annually, and reduce air pollutants and greenhouse gas emissions. Your Committee believes that expanding the list of products requiring minimum efficiency standards can help Hawaii save millions of dollars on utility bills and offer even more benefits for Hawaii residents, businesses, the environment, and the economy as a whole.

This measure will establish minimum efficiency standards for any gaps left in federal standards to prevent manufacturers from sending appliances that do not comply with other states' standards to Hawaii to protect the State's resources and lower energy costs.

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. 691, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 691, 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 (Fukunaga, Fevella).

**SCRep. 537 Energy, Economic Development, and Tourism on S.B. No. 839**

The purpose and intent of this measure is to:

- (1) Require the Public Utilities Commission to establish reliability standards and interconnection requirements for certain renewable energy projects; provided that any costs for changes in reliability standards or interconnection requirements shall not be the responsibility of the interconnection customer after the interconnection customer's power purchase agreement has been approved by the Public Utilities Commission;
- (2) Require the Public Utilities Commission to establish:
  - (A) The distinction between interconnection facilities and utility network upgrades;
  - (B) That the cost of interconnection facilities shall be the responsibility of the interconnection customer; and
  - (C) That the cost of utility network upgrades shall be the sole responsibility of the transmission provider;
- (3) Establish a timeline and requirements for interconnection procedures to be established by the Public Utilities Commission for certain utility-scale renewable energy projects;
- (4) Require implementation of the Hawaii Electricity Reliability Administrator Law; and
- (5) Require the Public Utilities Commission to submit a report and assessment of the Hawaii Electric Reliability Administrator to the Legislature.

Your Committee received testimony in support of this measure from Hawaii Clean Power Alliance and one individual. Your Committee received testimony in opposition to this measure from the Hawaiian Electric Company, Inc.; Kaua'i Island Utility Cooperative; and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, Hawaii Solar Energy Association, and Ulupono Initiative.

Your Committee finds that intention and urgency is needed to meet the State's ambitious renewable energy goals, bring financial relief to ratepayers, and reduce carbon emissions. Your Committee believes that establishing grid reliability standards, regulating the timely and transparent interconnection of utility-scale renewable energy projects, and distinguishing the cost responsibilities between interconnection facilities and utility network upgrades will help to achieve the State's renewable portfolio standards and decrease electricity rates for consumers. This measure will support the State's progress toward one hundred percent renewable energy and streamline the process to more quickly bring renewable energy generation facilities online.

Noting the testimony of the Public Utilities Commission, your Committee has amended this measure by:

- (1) Establishing the Hawaii Electricity Reliability Surcharge Special Fund and affiliated subaccount;
- (2) Deleting language that would have provided that any costs for changes in reliability standards or interconnection requirements shall not be the responsibility of the interconnection customer after the interconnection customer's power purchase agreement has been approved by the Public Utilities Commission;

- (3) Inserting language authorizing the Public Utilities Commission to determine the responsible party to bear any costs associated with any reliability standards or interconnection requirements;
- (4) Requiring the Hawaii electricity reliability administrator surcharge be established before the Public Utilities Commission is required to contract for a Hawaii electricity reliability administrator;
- (5) Imposing a Hawaii electricity reliability administrator surcharge on Hawaiian Electric customer bills to cover the complete cost of the Hawaii Electricity Reliability Administrator to be deposited into the subaccount;
- (6) Inserting an appropriation of \$100,000 to be deposited into the Hawaii electricity reliability surcharge special fund;
- (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 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. 839, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 839, 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 (Fukunaga, Fevella).

**SCRep. 538 (Joint) Energy, Economic Development, and Tourism and Water and Land on S.B. No. 1247**

The purpose and intent of this measure is to require the Hawaii State Energy Office to enter into a public-private partnership to develop a waste-to-energy generating facility on land under the jurisdiction of the Department of Land and Natural Resources.

Your Committees received testimony in support of this measure from the International Brotherhood of Electrical Workers Local Union 1186, Iron Workers Stabilization Fund, and two individuals. Your Committees received testimony in opposition to this measure from Zero Waste O'ahu, Zero Waste Hawai'i Island, Our Revolution Hawaii, SanHi Government Strategies, Environmental Caucus of the Democratic Party of Hawai'i, Climate Protectors Hawaii, Surfrider Foundation, 350Hawaii, Sustainable Coastlines Hawaii, and seven individuals. Your Committees received comments on this measure from the Department of Public Safety; Hawaii State Energy Office; Department of Land and Natural Resources; Department of Environmental Services for the City and County of Honolulu; and Hawaiian Electric Company, Inc.

Your Committees find that using waste-to-energy technology is a promising strategy for reducing the State's solid waste stream. Nationally, there are seventy-six waste-to-energy facilities that process up to ninety-four thousand tons of solid waste per day and produce enough energy each day to power the equivalent of 2,300,000 homes. Your Committees believe that a waste-to-energy facility would help the State meet its goal of reducing the solid waste stream. This measure will help relieve the need for landfill space while also providing much needed alternative sources of energy.

Your Committees have amended this measure by:

- (1) Deleting language that would have required the Hawaii State Energy Office to develop the waste-to-energy generating facility on land under the jurisdiction of the Department of Land and Natural Resources;
- (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 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. 1247, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1247, 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; Ayes with Reservations (Wakai). Noes, none. Excused, 2 (Fukunaga, Fevella).  
Water and Land: Ayes, 3; Ayes with Reservations (Elefante, McKelvey). Noes, none. Excused, 2 (Chang, Fevella).

**SCRep. 539 Energy, Economic Development, and Tourism on S.B. No. 1297**

The purpose and intent of this measure is to promote economic recovery and diversification by:

- (1) Establishing state goals for economic growth fueled by innovation and technology;
- (2) Appropriating funds to the Hawaii Technology Development Corporation to implement specific projects that address these goals; and
- (3) Requiring the Hawaii Technology Development Corporation to submit annual reports to the Legislature that summarize:
  - (A) The progress of projects assigned to the Hawaii Technology Development Corporation;
  - (B) The outcomes of the projects assigned to the Hawaii Technology Development Corporation including an assessment of each project's effectiveness in achieving state goals; and
  - (C) Any other findings and recommendations, including any proposed legislation.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Technology Development Corporation.

Your Committee finds that, in light of the State's ongoing economic recovery from the coronavirus disease 2019 pandemic, the State must accelerate its economic diversification efforts through substantial, strategic, and coordinated investments. Your Committee believes that the Hawaii Technology Development Corporation should serve as a facilitative catalyst for innovation in the State. This measure will further align the State with the emerging knowledge-based, zero-emission, and digital global economy while putting Hawaii on the path toward economic prosperity.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the purpose of the appropriation made out of the strategic development programs revolving fund shall include administrative support of the state small business credit initiative;
- (2) Increasing the appropriation for projects that address economic diversification from \$10,000,000 to \$11,000,000 and clarifying that:
  - (A) \$2,000,000 shall be used to accelerate economic diversification by supporting and enhancing existing accelerator grant programs and encouraging new accelerator programs;
  - (B) \$2,000,000 shall be used to support economic development opportunities with the trade sector, especially for products manufactured in Hawaii, by working with strategic partners to build awareness of Hawaii-made products outside of the State;
  - (C) \$2,000,000 shall be for operations, administration, and awarding of grants by the Hawaii Small Business Innovation Research Program;
  - (D) \$2,000,000 shall be to support economic development opportunities with the defense sector including aerospace and supporting companies conducting small business innovation research to transition past grants into large contracts;
  - (E) \$1,500,000 shall be for operations, administration, and awarding of grants by the Manufacturing Assistance Program; and
  - (F) \$1,500,000 shall be to reduce and mitigate climate change through renewable energy technology demonstration projects such as hydrogen, geothermal, or clean ground, air, and sea transportation in support of Hawaii's Hydrogen Hub Proposal to the United States Department of Energy;
- (3) Inserting language establishing a two—year Hawaii Office of Naval Research Grant Program to provide grants to qualified businesses conducting research and development in alternative energy;
- (4) Inserting language establishing the Alternative Energy Research and Development Revolving Fund and inserting a blank appropriation amount for the fund;
- (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 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. 1297, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1297, 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 (Fukunaga, Fevella).

**SCRep. 540 Labor and Technology on S.B. No. 1385**

The purpose and intent of this measure is to remove the exclusion of employees who are guaranteed a monthly compensation of \$2,000 or more from the definition of "employee" for purposes of the Wage and Hour Law.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of Labor and Industrial Relations, Rainbow Family 808.com Inc., International Alliance of Theatrical Stage Employees Local 665, Labor Caucus of the Democratic Party of Hawai'i, Education Caucus of the Democratic Party of Hawai'i, Hawai'i Appleseed Center for Law and Economic Justice, Hawai'i State AFL-CIO, Imua Alliance, and eight individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that this administration measure is meant to increase the amount of employees and employers covered under chapter 387, Hawaii Revised Statutes, relating to Hawaii's Wage and Hour Law, and thereby promote the health, efficiency, and well-being of Hawaii's workforce. Your Committee further finds that this measure will provide workers who are guaranteed compensation totaling \$2,000 or more a month with the protection afforded by the minimum wage rates, overtime rates, and employer recordkeeping requirements in chapter 387, Hawaii Revised Statutes.

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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1385, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1385, 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. 541 Labor and Technology on S.B. No. 1312**

The purpose and intent of this measure is to clarify the conditions under which service-connected disability and accidental death benefits are provided to members of the Employees' Retirement System.

Your Committee received testimony in support of this measure from the Employees' Retirement System and one individual.

Your Committee finds that the purpose of the State's service-connected disability retirement and accidental death provisions is to provide a unique set of benefits to compensate members in hazardous occupations who have incurred certain permanent injuries while in the performance of their duties, accidental death in the performance of their duties, and for the cumulative impact of exposure to occupational hazards. However, recent court rulings have awarded service-connected disability retirement and accidental death provisions in a similar manner as service retirement, ordinary disability retirement, ordinary death benefits, workers' compensation, and social security disability benefits. Not only is this interpretation of the State's service-connected disability retirement and accidental death provisions beyond the Legislature's intent, but the awards under this interpretation are increasing the unfunded liabilities of the State. Your Committee further finds that this measure will not affect the current provision of service-connected disability retirement and accidental death benefits to existing members of the Employees' Retirement System.

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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1312, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1312, 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 (Lee).

**SCRep. 542 (Joint) Labor and Technology and Public Safety and Intergovernmental and Military Affairs on S.B. No. 696**

The purpose and intent of this measure is to:

- (1) Authorize the wages of other employees in comparable employment to be considered when computing the average weekly wages of an injured public board member, reserve police officer, police chaplain, sheriffs' chaplain, volunteer firefighter, volunteer boating enforcement officer, or volunteer conservation and resources enforcement officer; and
- (2) Clarify the computation of average weekly wages of an injured volunteer firefighter to determine their workers' compensation benefits.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations and two individuals.

Your Committees find that currently, the wages of other employees are not considered when calculating workers compensation benefits for injured public board members, reserve police officers, police chaplains, sheriffs' chaplains, volunteer firefighters, volunteer boating enforcement officers, and volunteer conservation and resources enforcement officers. Your Committees also find that the work performed by these volunteers is both vital and potentially dangerous. This measure will afford those unpaid individuals with sufficient coverage under workers' compensation laws should they sustain injuries in the line of duty.

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 Labor and Technology and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 696, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 696, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.  
Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).  
Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 543 Health and Human Services on S.B. No. 1474**

The purpose and intent of this measure is to appropriate funds for the achievement of full funding, including estimated payment increases, of Medicaid Home- and Community-Based Services.

Your Committee received testimony in support of this measure from the Executive Office on Aging. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that Medicaid Home- and Community-Based Services support low income kupuna and individuals with disabilities who need assistance with activities of daily living such as getting dressed and bathing, preparing and eating meals, and tending to chores in the home. Recipients of Medicaid Home- and Community-Based Services are able to remain in their home and



community. However, Medicaid Home- and Community-Based Services direct care workers are often paid extremely low wages and have few opportunities for training and career advancement, leading to high turnover, worker shortages, and limited availability for service providers. This measure appropriates funds for the achievement of full funding, including estimated payment increases, of Medicaid Home- and Community-Based Services to ensure that kupuna and individuals with disabilities continue to receive services while also supporting direct care workers who provide valuable community services.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$30,210,000 for the achievement of full funding, including estimated payment increases, of Medicaid Home- and Community-Based Services.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1474, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1474, 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. 544 Health and Human Services on S.B. No. 1351**

The purpose and intent of this measure is to:

- (1) Establish the Infant and Early Childhood Mental Health Program within the Department of Health to provide and coordinate mental health services for children from birth to age five;
- (2) Develop and implement flexible strategies for the delivery of services and workforce training; and
- (3) Promote better understanding of the needs of infants and young children, the importance of positive early relationships, and the benefits of trauma-informed care.

Your Committee received testimony in support of this measure from the Office of the Governor, Department of Health, Department of Human Services, Executive Office on Early Learning, Office of Wellness and Resilience, Early Learning Board, Hawai'i Community Foundation, Commit to Keiki, Early Childhood Action Strategy, Catholic Charities Hawai'i, Promising Minds, Domestic Violence Action Center, Hawai'i Children's Action Network Speaks!, Hawaii Catholic Conference, Parents and Children Together, Hawai'i Early Childhood Educator Excellence and Equity Project, and five individuals. Your Committee received comments on this measure from the Judiciary, Association for Infant Mental Health in Hawai'i, and one individual.

Your Committee finds that approximately 29,000 keiki from birth to age five in Hawaii have mental health needs due to biological or developmental special needs at birth, exposure to intimate partner violence, parental substance abuse, housing insecurity, and poverty. Because these needs are often untreated, these children are more likely to be expelled or suspended from preschool, be ill-prepared for kindergarten, and require special education services. Later in life, some of these children may be involved with the juvenile and adult justice systems and be at higher risk for self-harm and suicide due to depression and anxiety.

Further, your Committee finds that Hawaii does not have enough mental health professionals to address community needs, much less the specialized skills necessary for infant and early childhood mental health. As a result, establishing the Infant and Early Childhood Mental Health Program within the Department of Health will provide the leadership and coordination to improve accessibility, capacity, and quality of infant and early childhood mental health services and address the numerous unmet needs of keiki and families in Hawaii.

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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1351, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1351, 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. 545 Health and Human Services on S.B. No. 1594**

The purpose and intent of this measure is to:

- (1) Establish a Crisis Intervention and Diversion Program within the Department of Health to divert those with mental health issues to appropriate health care services;
- (2) Define "crisis center" and "crisis intervention officer";
- (3) Authorize a person believed to be imminently dangerous to self or others by a law enforcement officer to be assisted by a crisis intervention officer and transported to a designated crisis center; and
- (4) Appropriate funds for the Crisis Intervention Team Program and for each county to certify law enforcement officers in mental health first aid, as disseminated by the National Council for Mental Wellbeing, and the crisis intervention team model, as developed by Crisis Intervention Team International.

Your Committee received testimony in support of this measure from the Department of Health; Honolulu Police Department; Hawaii Disability Rights Center; Institute for Human Services, Inc.; and Partners in Care.

Your Committee finds that thousands of people in Hawaii are cited or arrested for offenses such as drinking liquor in public, loitering in public parks after hours, and camping on sidewalks, beaches, and other restricted public places each year. Most of these people suffer from issues relating to drugs, alcohol, or mental illness. Many of those cited do not appear in court, leading to bench warrants being issued for their arrests. Time and resources are expended bringing people to court, and the court system, prosecutors, and police are caught in a never-ending revolving door situation. Mental health service providers have been working with law enforcement agencies and the criminal justice system to implement a crisis intervention program on Oahu. This measure establishes a Crisis Intervention and Diversion Program within the Department of Health to divert people in crisis from the criminal justice system to the health care system and appropriates funds to support crisis intervention efforts.

Your Committee notes that the Department of Health originally submitted testimony asking your Committee to defer this measure in favor of a different legislative vehicle. However, the Department of Health has revised its testimony to be in support of this measure, and submits requested amendments. Your Committee respectfully requests that your Committee on Ways and Means consider the Department of Health's proposed amendments, should it choose to deliberate on this measure.

Your Committee has amended this measure by:

- (1) Inserting the Department of Health as the agency responsible for certifying crisis intervention officers; and
- (2) Clarifying that the Department of Health, rather than the Department of Law Enforcement, shall be the expending agency for the appropriation made by this measure to fund the certification of law enforcement officers.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1594, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1594, 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. 546 Health and Human Services on S.B. No. 1473**

The purpose and intent of this measure is to:

- (1) Require the Department of Health and Department of Human Services to develop and adopt 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; and
- (2) Require the Department of Health and Department of Human Services to apply for any necessary approvals from the Centers for Medicare and Medicaid Services to amend the state Medicaid plan to provide reimbursements for medically—needed services, including applied behavior analysis services, for individuals aged twenty—one and older with neurodevelopmental disorders, including autism spectrum disorder.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, Hawai'i Association for Behavioral Analysis, and three individuals. Your Committee received comments on this measure from the Department of Health and Department of Human Services.

Your Committee finds that the State currently has a “gap group” of individuals with intellectual or developmental disabilities who do not qualify for services under the Developmental Disabilities Division and are above the age of twenty-one. If these individuals with intellectual or developmental disabilities only have Med-Quest coverage they are unable to receive needed behavioral analysis services. This measure will ensure that individuals over the age of twenty-one will be able to access medically necessary services.

Your Committee notes the concerns raised by the Department of Human Services that the broad nature of the expansion of services for those with “neurodevelopmental disorders” will likely require a large appropriation. In the event the Department of Human Services prepares a State Plan Amendment and the Centers for Medicare and Medicaid Services approves it, without a general fund appropriation, those services will have to be provided, and other existing services will have to be reduced or limited to pay for the added services. Should your Committees on Commerce and Consumer Protection and Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it determine the fiscal impact of this measure and that any appropriation is allocated before implementing changes to rules or the Medicaid State Plan.

Accordingly, your Committee has amended this measure by:

- (1) Replacing the term “medically-needed” to “medically necessary” throughout; and
- (2) Inserting language appropriating an unspecified amount of funds to the Department of Human Services to implement this measure.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1473, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1473, 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. 547 Health and Human Services on S.B. No. 1016**

The purpose and intent of this measure is to:

- (1) Beginning January 1, 2024, require the Chief Executive Officer of the Hawaii Health Systems Corporation or the Chief Executive Officer's designee to provide written comments to the Governor before the State enters into any new agreement with a private entity or modifies or terminates any existing agreement to transfer the right and responsibility to manage, operate, and otherwise provide health care services at one or more facilities of the Maui Regional System; and
- (2) Expand the definition of "private entity" to include business organizations that are authorized to transact business in the State, including nonprofit management entities that have a certificate of need or license to operate one or more community hospitals or hospitals serving a rural population licensed under the laws of any state.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Hawai'i Health Systems Corporation.

Your Committee finds that the Hawaii Health Systems Corporation has faced considerable financial challenges over the years, which pose a risk to the public health care services provided in the State. To strengthen the viability of the public hospital system operated by the Hawaii Health Systems Corporation on the island of Maui, the Legislature passed Act 103, Session Laws of Hawaii 2015 (Act 103), codified at part IV of chapter 323F, Hawaii Revised Statutes, to allow for the transfer of the operations and management of the Maui Regional System facilities from the Hawaii Health Systems Corporation to one or more private entities or their nonprofit management entities. Since Act 103 required these private entities to be hospitals licensed in the State, the options were extremely limited. Ultimately, on January 14, 2016, Maui Health System, A Kaiser Foundation Hospitals LLC, entered into a transfer agreement with the State of Hawaii and other entities. Your Committee finds, however, that certain representations made by Maui Health System to the Hawaii Health Systems Corporation and the Maui Regional System board were not conveyed to the Governor during the negotiation process and therefore not reflected in the transfer agreement. This measure expands the choice of private entities to which the Hawaii Health Systems Corporation may transfer its Maui Regional System facilities and ensures that any representations made by the chosen private entity to the Hawaii Health Systems Corporation is conveyed to the Governor during the negotiation process.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1016, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1016, 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. 548 Health and Human Services on S.B. No. 753**

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 retail establishments and employees from civil liability in allowing an eligible customer to use an employee toilet facility in certain circumstances; and
- (3) Establish fines for retail establishments and employees of retail establishments who violate the requirement.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission and four individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii and Hawaii Association for Justice.

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 notes this measure represents a good starting point warranting additional consideration. Accordingly, your Committee acknowledges the importance of this measure and urges its supporters to consider requesting a resolution encouraging further development of this legislation.

Your Committee has amended this measure by 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 753, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 753, 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. 549 Health and Human Services on S.B. No. 164**

The purpose and intent of this measure is to appropriate funds for the Hawaii State Loan Repayment Program for health care professionals, provided that the funds are matched on a dollar-for-dollar basis by funds from a private or another public source.

Your Committee received testimony in support of this measure from the Department of Health, Department of Labor and Industrial Relations, John A. Burns School of Medicine of the University of Hawai'i at Mānoa, Hawai'i State Center for Nursing, Kaiser Permanente Hawai'i, Hawai'i-American Nurses Association, Hawaii Substance Abuse Coalition, Hawai'i Primary Care Association, Hawaii Medical Association, Hawai'i Pacific Health, Healthcare Association of Hawaii, and one individual.

Your Committee finds that Hawaii faces a critical need for recruitment and retention of physicians to serve in rural and medically underserved areas of the State. Your Committee also finds that the increasingly high cost of education for health care professionals drive graduates to practice in highly specialized fields of care in urban areas, where they are given sufficient income to repay costly student loans. This has resulted in less health care professionals in rural areas of the State, where the need for their service is vital. Additionally, since 2012, the Hawaii State Loan Repayment Program administered by the John A. Burns School of Medicine has successfully provided loan repayments to seventy-six individuals, in exchange for work commitments in underserved geographic practice areas in Hawaii. Eighty percent of the seventy-six individuals remained in Hawaii, while sixty-one percent remained at the site where they performed their service. Therefore, this measure aims to appropriate funds to the Department of Health to fund the Hawaii State Loan Repayment Program for the continuation of financial incentives to health care professionals working in health care shortage areas of the State.

Your Committee has amended this measure by:

- (1) Inserting "branch" to the loan program name, to read "National Health Service Corps Branch Loan Repayment Program"; 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 164, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 164, 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. 550 Health and Human Services on S.B. No. 1280**

The purpose and intent of this measure is to increase and stabilize the amount of funding for the Tobacco Enforcement Special Fund within the Department of the Attorney General by:

- (1) Increasing the amount of funds that the Tobacco Enforcement Special Fund can carry over at the end of the fiscal year;
- (2) Increasing the cigarette tax stamp fee and by concurrently increasing the percentage of the cigarette tax stamp fee deposited to the Tobacco Enforcement Special Fund; and
- (3) Amending the amount of funds to be deposited in the Tobacco Enforcement Special Fund from the Hawai'i Tobacco Settlement Special Fund.

Your Committee received testimony in support of this measure from the Department of Taxation, Department of Health, Department of the Attorney General, Hawai'i Public Health Institute, Hawaii Primary Care Association, and American Cancer Society Cancer Action Network. Your Committee received testimony in opposition to this measure from the Hawaii Smokers Alliance and four individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that section 28-15, Hawaii Revised Statutes, established the Tobacco Enforcement Special Fund within the Department of the Attorney General and mandated its use by the Department of the Attorney General for administering, monitoring, and enforcing the Master Settlement Agreement and related laws, including chapters 486P and 675, Hawaii Revised Statutes. Your Committee also finds that the Tobacco Enforcement Unit is also specifically tasked with enforcing the cigarette tax stamp program pursuant to chapter 245, Hawaii Revised Statutes, and any other statutes or programs relating to that chapter.

Currently, the Tobacco Enforcement Unit receives \$350,000 from the annual Master Settlement Agreement payment, but most of the Tobacco Enforcement Unit's funding is derived from the cigarette tax. This measure would stabilize funding for the Unit in anticipation of future reductions in cigarette tax revenues, there by allowing the Unit to maintain the resources necessary for diligent enforcement and arbitration preparation.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1280 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. 551 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 1589**

The purpose and intent of this measure is to establish a Hawaii Hemp Task Force to inform public policy and identify methods and actions to best support Hawaii agriculture and build a hemp industry to support rural economic development.

Your Committees received testimony in support of this measure from the Department of Health, Department of Agriculture, Hawai'i Hemp Farmers Association, and six individuals. Your Committees received comments on this measure from Office of Information Practices and one individual.

Your Committees find that the hemp industry in Hawaii has quickly evolved in the last four years and greater communication and sharing of data between the State and hemp farmers and industry members can significantly benefit the industry. Your Committees further find that a Hawaii Hemp Task Force can save agencies time and resources by identifying data that will facilitate the implementation of supportive agricultural policy that protects consumers and the environment; create more viable opportunities for Hawaii farmers through policy that recognizes the unique needs of farming in Hawaii; support greater food security by identifying the paths forward for substantial hemp seed production; and create rural economic development opportunities by identifying infrastructure and next steps forward to support a vibrant hemp industry across all sectors, fiber, fuel, CBD, and food. This measure establishes a Hawaii Hemp Task Force to facilitate collaboration between invested actors and benefit the hemp industry and thus, the State.

Your Committees acknowledge the testimony of Hawaii Sustainable Farms, which recommends amending the language in section 141-42(f), Hawaii Revised Statutes, as proposed in this measure, to include a representative from the microgreen sector on the Hawaii Hemp Task Force. Your Committees find that this issue merits further consideration and requests that your Committee on Ways and Means considers this testimony and incorporate any changes it deems necessary.

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. 1589 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.

Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 552 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 1547**

The purpose and intent of this measure is to:

- (1) Establish a food and product innovation network within the Agribusiness Development Corporation; and
- (2) Appropriate funds for food and product innovation facilities on the islands of Molokai and Oahu.

Your Committees received testimony in support of this measure from the Department of Agriculture, Agribusiness Development Corporation, University of Hawai'i Community Colleges, Ulupono Initiative, Hawai'i Farm Bureau, and one individual. Your Committees received testimony in opposition of this measure from one individual.

Your Committees find that the State is determined to enhance food security and establish a self-reliant agricultural sector in Hawaii. However, farmers, ranchers, and food product producers in the State require significant investment to serve as a catalyst that will set the industry on a path towards self-sufficiency. Thus, this measure establishes a food and production innovation network within the Agribusiness Development Corporation and appropriates funds for food and product innovation facilities on the islands of Molokai and Oahu.

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. 1547 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.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

**SCRep. 553 Agriculture and Environment on S.B. No. 1272**

The purpose and intent of this measure is to:

- (1) Establish and appropriate funds for a program specialist position within the Department of Agriculture for grant writing, technical assistance, and related activities; and
- (2) Prioritize assistance for farmers and ranchers who produce local food that is at least partially consumed within the State.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Cattlemen's Council, Inc.; Kanalani Ohana Farm; Ulupono Initiative; Food+ Policy Internship 2023; and one individual.

Your Committee finds that farmers and ranchers in the State are in need of financial resource and skill support to increase food production in Hawaii. Your Committee further finds that many federal programs are dedicated to state departments or agencies that can apply for funding to support local initiatives. Establishing a position at the Department of Agriculture that will prioritize grant opportunities is extremely timely, not only to meet the needs of local farmers and ranchers, but also to make the most of the funding opportunities made available by the federal government. This measure funds and establishes a position within the Department of Agriculture to assist ranchers and farmers in securing funding through available grants to ensure access to capital for operations to succeed.

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. 1272 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. 554 (Joint/Majority) Water and Land and Transportation and Culture and the Arts on S.B. No. 1191**

The purpose and intent of this measure is to appropriate funds for statewide planning and coordination for 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 Department of Land and Natural Resources, Office of Planning and Sustainable Development, Hawai'i State Energy Office, and two individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the promotion of mixed-use development and affordable housing within transit-oriented development areas in the State is one of the most viable means for stimulating economic development opportunities and addressing the need for affordable housing. The Hawaii Interagency Council for Transit-Oriented Development, co—chaired by the Director of the Office of Planning and Sustainable Development and Executive Director of the Hawaii Housing Finance and Development Corporation, has been instrumental in coordinating the preparation and subsequent implementation of the state strategic plan for transit—oriented development.

Your Committees further find that since 2016, following the establishment of the Hawaii Interagency Council for Transit-Oriented Development, the Legislature has appropriated capital improvement project funds for the Office of Planning and Sustainable Development to support planning of transit-oriented development projects on Oahu and the neighbor island counties. Your Committees find that each year, the request for funds for this purpose has exceeded the funds available. Therefore, this measure appropriates funds to maintain and enhance capacity to support planning of state and county transit-oriented development projects.

Your Committees have amended this measure by:

- (1) Inserting a blank amount; 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 Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1191, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1191, 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, 3. Noes, none. Excused, 2 (Chang, Fevella).

Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Keohokalole).

**SCRep. 555 (Joint/Majority) Water and Land and Transportation and Culture and the Arts and Government Operations on S.B. No. 1535**

The purpose and intent of this measure is to allow the Director of Transportation to exempt certain ground transportation facility projects from historic preservation review, the environmental impact statement law, and the Hawaii Public Procurement Code under certain conditions.

Your Committees received testimony in support of this measure from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, Bikeshare Hawaii, Hawai'i Bicycling League, and five individuals. Your Committees received testimony in opposition to this measure from the State Procurement Office, American Council of Engineering Companies of Hawaii, and one individual. 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 reports have named Hawaii roads the most dangerous in the nation to pedestrians aged sixty—five and over. In 2022, there were one hundred seventeen traffic—related fatalities in the State, an increase from the ninety—five traffic—related fatalities that occurred within the State in 2014.

Your Committees further find that it currently takes the State five to seven years to make simple but urgent safety fixes to better protect people. Your Committees believe that the State should enable critical safety projects to be implemented faster, and at lower costs, to help save lives. Therefore, this measure increases traffic safety by allowing the Director of Transportation to exempt certain ground transportation facility projects from historic preservation review, the environmental impact statement law, and the Hawaii Public Procurement Code under certain conditions.

Your Committees have heard the testimony of the Department of Land and Natural Resources, requesting that additional conditions be met before any exemptions from chapter 6E, Hawaii Revised Statutes (HRS), are granted for certain ground transportation facilities projects.

Your Committees have also heard the testimony of the State Procurement Office, objecting to the proposed exemption from section 103D, HRS, for certain ground transportation facilities projects. The State Procurement Office testified that contracts to provide safe roads under this program should remain competitively procured.

Therefore, your Committees have amended this measure by:

- (1) Requiring that exemptions for certain ground transportation facilities projects from chapter 6E, HRS, only apply to projects within a previously disturbed area that does not require any excavation of the known soil disturbance greater than twenty-four inches below grade and that no exemption shall apply in historic districts and areas with a high probability for the presence of archaeological sites or burial sites;
- (2) Eliminating the exemption for certain ground transportation facilities projects from the Hawaii Public Procurement Code;
- (3) Amending section 1 to reflect its amended purpose;
- (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 Water and Land, Transportation and 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. 1535, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1535, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs and President on behalf of the Committees.

Water and Land: Ayes, 3; Ayes with Reservations (Elefante). Noes, none. Excused, 2 (Chang, Fevella).

Transportation and Culture and the Arts: Ayes, 3; Ayes with Reservations (Elefante). Noes, 1 (Awa). Excused, 1 (Keohokalole).

Government Operations: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Gabbard).

**SCRep. 556 (Joint/Majority) Health and Human Services and Transportation and Culture and the Arts on S.B. No. 101**

The purpose and intent of this measure is to make an appropriation to the Department of Health to implement the recommendations of the statewide Mobility Management Task Force, established pursuant to Act 214, Session Laws of Hawaii 2013 (Act 214).

Your Committees received testimony in support of this measure from the State Council on Developmental Disabilities, AARP Hawai'i, and one individual.

Your Committees find that Hawaii's residents, including kupuna and individuals with disabilities, should be able to live at home with the supports they need to participate in communities that value their contributions. To enable the State to make an informed decision on the best means by which this objective can be effectuated, the Legislature established the Mobility Management Task Force in 2013 to make recommendations on establishing a transportation framework to assist kupuna and individuals with disabilities with transportation needs in each county, including recommendations relating to funding through the state budget and program development. The task force's final report, submitted to the Legislature on January 30, 2015, recommended that the State continue to support the counties' efforts in developing their respective mobility management program by various means. This measure will allow those recommendations to be implemented and thereby promote the establishment of a comprehensive transportation system that offers efficient, safe, and affordable transportation options to the people of the State, allowing them to fully access the economic, health, and social aspects of their communities.

Your Committees acknowledge testimony of stakeholders that the Department of Transportation, rather than the Department of Health, is better suited to implement the recommendations made by the task force, and that implementation should be done in consultation with the Aging and Disability Resource Center of the Executive Office on Aging and other stakeholder groups. Therefore, amendments to this measure are necessary to reflect this advice.

Accordingly, your Committees have amended this measure by:

- (1) Amending the expending agency for the appropriated funds from the Department of Health to the Department of Transportation to implement the recommendations of the statewide Mobility Management Task Force in consultation with the Aging and Disability Resource Center of the Executive Office on Aging and other stakeholder groups;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of December 31, 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 Health and Human Services and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 101, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 101, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair and President on behalf of the Committees.

Health and Human Services: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Shimabukuro).

Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Keohokalole).

**SCRep. 557 (Majority) Health and Human Services on S.B. No. 1371**

The purpose and intent of this measure is to:

- (1) Increase the marriage license fee from \$60 to \$100;
- (2) Increase the compensation for a marriage license agent from \$9 to \$15 per license;
- (3) Authorize deposits of marriage license fees into the Vital Statistics Improvement Special Fund; and
- (4) Redistribute the marriage license fee among various domestic violence prevention special funds.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the Domestic Violence Action Center.

Your Committee finds that the marriage license fee is collected from couples when the Department of Health or its agents issue a marriage license. Despite transacting a majority of marriage licenses, the Department of Health Office of Health Status Monitoring receives no portion of the fee. This measure authorizes the deposit of marriage license fees into the Vital Statistics Improvement Special Fund to allow for modernization, quality improvement, and customer satisfaction activities within the Office of Health Status Monitoring.

Your Committee notes that, per testimony submitted by the Department of Health, the marriage license fee required by this measure, as currently written, is relatively high in comparison to those of other states. However, the higher fee in this measure allows for

contributions into multiple domestic violence special funds that ultimately benefit the people of Hawaii. Should your Committees on Commerce and Consumer Protection and Ways and Means choose to deliberate on this measure, your Committee respectfully requests that they further consider the amount of the marriage license fee.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1371, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1371, 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, 3. Noes, 1 (Awa). Excused, 1 (Shimabukuro).

**SCRep. 558 (Joint) Health and Human Services and Transportation and Culture and the Arts on S.B. No. 384**

The purpose and intent of this measure is to:

- (1) Authorize each county to adopt ordinances to enforce the design, construction, and signage requirements of the federal Americans with Disabilities Act of 1990 (ADA), as amended; state law governing parking for persons with disabilities and any administrative rules adopted thereunder, including the establishment of penalties for failure to comply with the ordinance; and
- (2) Clarify that an official appointed by a county may enter private property to enforce violations of the ordinances adopted by the county.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board, State Council on Developmental Disabilities, Hawaii Disability Rights Center, and two individuals.

Your Committees find that existing state law requires each public and private entity that provides a parking space reserved for persons with disabilities (disability parking spaces) to comply with laws governing parking for persons with disabilities and administrative rules adopted thereunder. Your Committees further find that administrative rules adopted by the Department of Transportation require disability parking spaces and access isles to have certain signage, be marked in a certain manner, and be in compliance with the ADA Guidelines with respect to the dimensions, location, and slope. Your Committees also find that although law enforcement officers and commissioned volunteer enforcement officers are statutorily permitted to access private property to enforce this law, it has not been enforced since taking effect on July 1, 2002. This measure will allow the counties to adopt ordinances to enforce these requirements through actions taken by county officials.

Your Committees acknowledge the concerns raised by the Disability and Communication Access Board that this measure, as written, may be construed to allow officials appointed by a county to enter parking spaces reserved for persons with disabilities at residential facilities and other buildings, facilities, and sites, that are not open to the general public, to enforce an ordinances adopted by a county pursuant to this measure. Therefore, amendments to this measure are necessary to address this concern.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that an official appointed by a county may enter property of places of public accommodation to enforce any applicable ordinances adopted pursuant to this section;
- (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 Health and Human Services and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 384, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 384, 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.  
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).  
Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

**SCRep. 559 Higher Education on S.B. No. 155**

The purpose and intent of this measure is to:

- (1) Establish and appropriate funds for a Network Improvement Community Task Force to develop a kindergarten through grade twelve science, technology, engineering, and mathematics teacher education degree for the University of Hawaii and report to the Legislature;
- (2) Appropriate funds for one full-time equivalent (1.0 FTE) Science, Technology, Engineering, and Mathematics Entrepreneur-Resident position to assist the Task Force; and
- (3) Appropriate funds for the University of Hawaii Maui College's Office of International and Regional Partnerships for study abroad programs.

Your Committee received testimony in support of this measure from the University of Hawai'i System. Your Committee received comments on this measure from the Department of Education.



Your Committee finds that there is a critical need for science, technology, engineering, and mathematics (STEM) teachers throughout the State. A STEM teacher education degree at the University of Hawaii would help the State recruit, prepare, and retain qualified kindergarten through grade twelve (K-12) STEM teachers, particularly in high-need areas. To address the State's STEM teacher shortage, this measure establishes a task force to build an infrastructure platform and administer a pilot program for the development of a K-12 STEM teacher education degree.

Your Committee further finds that studying abroad helps students develop foreign language skills and cross-cultural competence. However, studying abroad is financially inaccessible for some students, including for some enrolled at the University of Hawaii Maui College. To increase access to study abroad opportunities, this measure appropriates funds for the University of Hawaii Maui College's Office of International and Regional Partnerships to subsidize travel and tuition expenses for students to study abroad.

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. 155 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 (Fukunaga, Fevella).

**SCRep. 560 (Joint) Higher Education and Agriculture and Environment on S.B. No. 1586**

The purpose and intent of this measure is to appropriate funds for the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to establish five full-time equivalent (5.0 FTE) extension agent positions.

Your Committees received testimony in support of this measure from the University of Hawai'i System; Hawai'i Farm Bureau; Kualoa Ranch, Inc.; Hawaii Cattlemen's Council, Inc.; Hawaii Sustainable Beef Enterprises, LLC; Ulupono Initiative; University of Hawaii Professional Assembly; Hawaii Floriculture and Nursery Association; and eight individuals.

Your Committees find that the research, outreach, and education provided by the University of Hawaii College of Tropical Agriculture and Human Resources' Cooperative Extension is critical to the health and well-being of Hawaii's agricultural ranchers and growers. New diseases, pests, and changing environmental conditions brought on by climate change have increased the need for the Extension's services. Despite this increased demand, staffing shortages continue to limit the Extension's capacity. To increase the Extension's capacity to support local producers, this measure appropriates funds for five full-time equivalent (5.0 FTE) Extension Agent positions specializing in entomology, livestock, and farm and consumer food safety.

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 S.B. No. 1586 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, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Richards).

**SCRep. 561 (Joint) Higher Education and Labor and Technology on S.B. No. 1415**

The purpose and intent of this measure is to require the University of Hawaii to submit annual reports to the Legislature of all University employees who performed work from a location outside of the State during the applicable year.

Your Committees received testimony in support of this measure from Hawaii Stevedores, Inc. and sixty 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 and University of Hawai'i System.

Your Committees find that the University of Hawaii supports and allows the use of telework arrangements where appropriate for an employee and consistent with the University's strategic direction and vision, business operations, and resource limitations. While the University of Hawaii provides information relating to employees who work from outside of the State to the Legislature upon the Legislature's request, this information is not otherwise publicly accessible. To increase transparency and accountability concerning public and state employees, this measure requires the University of Hawaii to submit annual reports to the Legislature of all University employees who performed work from a location outside of the State for the applicable year.

Your Committees have amended this measure by:

- (1) Inserting language specifying that this measure addresses an issue of statewide concern; 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 Higher Education and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1415, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1415, 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 (Fukunaga, Fevella).

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 562 (Joint) Health and Human Services and Commerce and Consumer Protection on S.B. No. 962**

The purpose and intent of this measure is to:

- (1) Amend the dispensary program licensing fee structure;

- (2) Add or clarify requirements for signage, manufactured cannabis products, packaging, escort, and background checks regarding the medical cannabis dispensary program;
- (3) Establish annual reporting requirements to increase public transparency regarding the medical cannabis registry program; and
- (4) Make various housekeeping amendments to chapter 329D, Hawaii Revised Statutes, regulating medical cannabis dispensaries.

Your Committees received testimony in support of this measure from Aloha Green Holdings Inc.; TCG Retro Market 1, LLC dba Cure Oahu; Aloha Medical Consultants, LLC dba Akamai Cannabis Consulting; and one individual. Your Committees received comments on this measure from the Department of Health and Department of the Attorney General.

Your Committees find that finds Act 241, Regular Session of 2015, established the State's medical cannabis dispensary law. Although the medical cannabis dispensary system has been successful, amendments to the State's medical use of cannabis law and medical cannabis dispensary program law are necessary to facilitate the administration of the laws, resolve issues that have arisen under existing law, and clarify legislative intent. This measure effectuates these necessary amendments.

Your Committees acknowledge the concerns raised by the Department of Health regarding whether the proposed dispensary program licensing fee structure will adequately maintain existing personnel and the operational cost of licensing, inspecting, and regulating the dispensary industry. Moreover, the existing fee structure that was implemented by the Legislature in 2022, and the correlating revisions to the administrative rules were completed just four months ago. Your Committees also acknowledge the testimony of the Department of the Attorney General raising concerns over the enforceability and vagueness of the packaging requirement and the standards pertaining to the Department of Health's rulemaking authority. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, amendments to this measure are necessary by:

- (1) Deleting sections 5, 7, and 12 of the measure, thereby retaining the existing dispensary program licensing fee structure, advertising and packaging requirements, and the Department of Health's rulemaking standards, respectively;
- (2) Amending section 1 to reflect its amended purpose;
- (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 Health and Human Services 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. 962, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 962, 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 and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

**SCRep. 563 (Joint/Majority) Health and Human Services and Commerce and Consumer Protection on S.B. No. 896**

The purpose and intent of this measure is to:

- (1) Prohibit a covered entity, as defined in the federal Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, as amended, from disclosing communication or information relating to reproductive health care services;
- (2) Prohibit the issuance of a subpoena in connection with an out-of-state proceeding relating to reproductive health care services legally performed in the State;
- (3) Prohibit agencies from providing information or expending resources in the furtherance of interstate investigations or proceedings relating to reproductive health care services;
- (4) Prohibit the State from penalizing, prosecuting, or otherwise taking adverse action based on pregnancy outcomes or aiding or assisting a pregnant individual with accessing reproductive health care services;
- (5) Require the Governor to deny any demand for surrender of a person charged with a crime involving reproductive health care services unless the conduct constitutes a crime in the State;
- (6) Enumerate laws contrary to public policy and prohibit their application as rules of decision in the courts;
- (7) Prohibit the issuance of a summons for persons in the State to testify in another state with regards to lawful reproductive health care services;
- (8) Clarify under various licensing statutes that the provision or assistance in receipt or provision of medical, surgical, pharmaceutical, counseling, or referral services related to the human reproductive system cannot form a basis for disciplinary action; and
- (9) Prohibit the enforcement of a judgment or order arising from a foreign penal civil action or other penal law with respect to reproductive health care services.

Your Committees received testimony in support of this measure from the Department of Human Services; Hawaii Medical Board; Board of Nursing; Board of Chiropractic; Board of Pharmacy; two members of the Kaua'i County Council; Office of the Prosecuting Attorney for the County of Kaua'i; Hawai'i Section of the American College of Obstetricians and Gynecologists; Hawai'i State Center for Nursing; Hawai'i State Coalition Against Domestic Violence; Planned Parenthood Alliance Advocates – Hawai'i; Stonewall Caucus of the Democratic Party of Hawai'i; American Association of University Women of Hawai'i; Hawai'i Friends of Civil Rights;

Pride at Work Hawai'i; Hawaii Medical Association; Hawai'i Association of Professional Nurses; Rainbow Family 808.com Inc.; Hawai'i Women Lawyers; Midwives Alliance of Hawaii; Democratic Party of Hawai'i Women's Caucus; Save Medicaid Hawaii; Hawaii Association of Health Plans; Healthcare Association of Hawaii; and fifty-seven individuals. Your Committees received testimony in opposition to this measure from eleven individuals. Your Committees received comments on this measure from the Department of Health, Office of Information Practices, Board of Psychology, Board of Naturopathic Medicine, Hawaii Medical Service Association, and one individual.

Your Committees find that Hawaii has been and remains at the forefront of efforts to protect the right to privacy and personal autonomy independently of, and more broadly than, the United States Constitution. This is evidenced by the State being the first in the nation to decriminalize abortion through its enactment of Act 1, Session Laws of Hawaii 1970, codified at section 453-16, Hawaii Revised Statutes. Your Committees further find that the Hawaii State Constitution was amended in 1978 to include a separate and distinct section, Article I, section 6, that recognizes the people's right to privacy and requires the Legislature to take affirmative steps to implement this right. In discussing this amendment, the delegates to the 1978 Constitutional Convention found that "this privacy concept encompasses the notion that in certain highly personal and intimate matters, the individual should be afforded freedom of choice absent a compelling state interest" and that privacy is "a fundamental right subject to interference only when a compelling state interest is demonstrated." Comm. of the Whole Rep. No. 15 in 1 Proceedings of the Constitutional Convention of Hawaii of 1978 (1980), at 1024. Recognizing this fundamental right, existing state law prohibits the State from denying or interfering with a female's right to choose or obtain an abortion of a nonviable fetus or an abortion that is necessary to protect the life or health of the female.

While Hawaii has been a long-time leader in protecting reproductive health care rights, your Committees find that the landscape in the remainder of the country is rapidly changing. In *Dobbs v. Jackson Women's Health Org.*, 142 S.Ct. 2228 (2022), the Supreme Court of the United States overruled nearly fifty years of precedent regarding reproductive rights and bodily autonomy, including *Roe v. Wade*, 410 U.S. 113 (1973) and *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), by holding that the United States Constitution does not provide a right to abortion and that the authority to regulate abortion must be returned to the people and their elected representatives. In response to *Dobbs*, an increasing number of states have enacted state laws that ban abortion or severely restrict access thereto, including laws allowing enforcement through private, civil lawsuits. In addition, lawmakers in conservative states have threatened to pass laws that would reach across state lines and seek to penalize healthcare providers in other states who provided abortion-related care to their residents. These laws aim to restrict the residents of those states from not only accessing basic healthcare in their own state, but also from traveling out-of-state for abortion care. This measure will bolster the State's policy to protect an individual's right to privacy and bodily autonomy within state boundaries.

Your Committees acknowledge the concerns raised by the Office of Information Practices that the section in this measure that specifically relates to disclosure of information by government agencies and employees is so broad as to create a conflict with the open record requirements of the Uniform Information Practices Act, codified at chapter 92F, Hawaii Revised Statutes. Your Committees find that this issue raises concerns that merit further consideration and requests that your Committee on Judiciary further examine this issue.

Your Committees have also heard the testimony of the Hawaii Medical Board requesting that the measure include language that would provide licensees and applicants under the purview of the Hawaii Medical Board the same protection given to licensees and applicants under the purview of the State Board of Nursing and Board of Pharmacy of the State.

Accordingly, your Committees have amended this measure by:

- (1) Amending the definition of "person" to include an individual, partnership, joint venture, corporation, association, business, trust, or any organized group of persons or legal entity, or any combination thereof;
- (2) Inserting language prohibiting the Hawaii Medical Board to impose disciplinary action on a licensee or deny a license to any applicant on grounds that a disciplinary action was taken against the individual by another state, if the disciplinary action of the other state was based on the provision of services relating to the human reproductive system that was in accordance with the laws of this State or would have been in accordance with the laws of this State if it occurred within this State;
- (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 Health and Human Services 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. 896, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 896, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, 1 (Awa). Excused, none.

Commerce and Consumer Protection: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Richards).

**SCRep. 564 (Joint) Health and Human Services and Commerce and Consumer Protection on S.B. No. 975**

The purpose and intent of this measure is to:

- (1) Establish the criminal offense of unlawful shipment of tobacco products;
- (2) Amend the definition of "tobacco products" under the Cigarette Tax and Tobacco Tax Law to include electronic smoking devices and e-liquids;
- (3) Increase the license fee for persons engaged as wholesalers or dealers of cigarettes and tobacco products and the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products; and

- (4) Repeal state laws that establish and govern the Electronic Smoking Device Retailer Registration Unit within the Department of the Attorney General; provisions of the Cigarette Tax and Tobacco Tax Law that govern delivery sales; and state law governing smoking that preempts and voids local ordinances and regulations conflicting with state law.

Your Committees received testimony in support of this measure from the Department of Health, Department of the Attorney General, one member of the Hawai'i County Council, American Heart Association, Hawai'i Public Health Institute, Hawaii State Teachers Association, University of Hawaii Student Health Advisory Council, Hawaii COPD Coalition, Hawai'i Children's Action Network Speaks!, Hawai'i Nurses Association - OPEIU Local 50, Hawai'i Primary Care Association, Hawaii Dental Association, Opportunity Youth Action Hawai'i, Hawai'i Public Health Association, Hawaii Health & Harm Reduction Center, Coalition for a Tobacco-Free Hawai'i Youth Council, Hawai'i Community Foundation, Fern Elementary School, and thirty-nine individuals. Your Committees received testimony in opposition to this measure from the Cigar Association of America, Inc.; Americans for Tax Reform; Retail Merchants of Hawaii; Consumer Choice Center; Hawaii Smokers Alliance; Consumer Advocates for Smoke-free Alternatives Association; VOLCANO Vape Shops; National Taxpayers Union; and eight individuals. Your Committees received comments on this measure from the Department of Taxation, Taxpayers Protection Alliance, Tax Foundation of Hawaii, and Reason Foundation.

Your Committees find that tobacco use is the single most preventable cause of disease, disability, and death in the United States. The electronic smoking device industry, including the production of e-liquid in a variety of forms, has grown rapidly, particularly in Hawaii, which has led to a youth vaping epidemic. The rapid growth of the electronic smoking device industry, including retail businesses selling electronic smoking devices or e-liquid, necessitates further regulations to protect consumers, such as requiring retailers of e-liquid to obtain a retail tobacco permit. This measure will provide those additional layers of protection to consumers in Hawaii, especially the youth.

Your Committees acknowledge the testimony of the Department of the Attorney General regarding the lack of clarity as to the state of mind required for a person or entity to commit the offense of unlawful shipment of tobacco products. Amendments to this measure are necessary to address this concern.

Therefore, your Committees have amended this measure by:

- (1) Clarifying that a person or entity commits the offense of unlawful shipment of tobacco products if the person or entity is engaged in the business of selling tobacco products and knowingly ships or causes to be shipped any tobacco products to a person or entity in this State that is not a licensee under this chapter; 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 Health and Human Services 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. 975, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 975, 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 and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

Commerce and Consumer Protection: Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.

**SCRep. 565 Health and Human Services on S.B. No. 1531**

The purpose and intent of this measure is to establish the Beneficial Treatments Advisory Council to review mental health treatment information and advise the Department of Health.

Your Committee received testimony in support of this measure from the Clarity Project, Happy Happy Happy LLC dba Beyond Mental Health, Honolulu Psychotherapy LLC, Wellness Kuleana LLC, and forty-nine individuals.

Your Committee finds that major research and academic institutions around the world have shown psilocybin and methylenedioxymethamphetamine, commonly known as MDMA, to be promising and even groundbreaking clinical treatments for a wide range of mental and psychiatric diagnoses, including anxiety, addiction, depression, end-of-life anxiety, and post-traumatic stress disorder. Psilocybin is increasingly considered one of the most natural, effective, non-addictive, and safe treatment options for depression and anxiety, especially when administered in clinical settings. MDMA is also considered one of the most effective treatments for post-traumatic stress disorder, which affects five percent of the U.S. population. Your Committee also finds that the United States Food and Drug Administration has granted both psilocybin and MDMA its "Breakthrough Therapy" designation to expedite research and potential approval. Both psilocybin and MDMA are expected to be federally rescheduled and approved for medical use in the next few years. This measure will allow the State to make an informed decision on new and revised mental health treatment options, paving the way for the development of a long-term strategic plan to ensure the availability of therapeutic psilocybin, psilocybin-based products, and MDMA that are safe, accessible, and affordable.

Your Committee has amended this measure by:

- (1) Replacing the Director of Health with the Executive Director of Office of Wellness and Resilience as the chairperson of the Beneficial Treatments Advisory Council;
- (2) Clarifying that all members of the advisory council shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1531, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1531, 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. 566 Health and Human Services on S.B. No. 1373**

The purpose and intent of this measure is to clarify the allowable revenues to be deposited into the Executive Office on Aging Administrative Claiming Special Fund and the purposes for which the fund may be used.

Your Committee received testimony in support of this measure from the Department of Health Executive Office on Aging.

Your Committee finds that Executive Office on Aging programs are eligible to receive Medicaid administrative claiming moneys. However, existing state law restricts the use of certain Medicaid administrative claiming moneys to the operation of the Executive Office on Aging's aging and disability resource centers. This measure removes this unnecessary restriction to allow revenues from certain Medicaid administrative claiming moneys to be used for any Executive Office on Aging program.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1373, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1373, 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. 567 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 636**

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to establish a Visitor Green Fee Program to collect fees from visitors to the State for the provision of sustained and increased funding for the protection, restoration, and care of Hawaii's natural, cultural, and outdoor recreational resources and build the resilience of these resources against the impacts of climate change and local threats;
- (2) Establish the Hawaii Environmental Legacy Commission to guide the disbursement of funds collected from the Visitor Green Fee Program; and
- (3) Establish the Hawaii Environmental Legacy Special Fund.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Tourism Authority; Climate Protectors Hawaii; Imua Alliance; Resources Legacy Fund; Friends of Hanauma Bay; Hawaii Lodging and Tourism Association; Nature Conservancy; Kanalani Ohana Farm; hawaiiigreenfee.org, representing a coalition of forty-one entities; and eight individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Tax Foundation of Hawaii, Kohala Coast Resort Association, and Maui Hotel and Lodging Association.

Your Committees find that despite the incredible value of Hawaii's natural resources, the State currently invests less than one percent of its budget to protect, restore, and manage these assets. Your Committees believe that to leave a legacy of healthy natural resources for future generations of Hawaii's residents and visitors, the State must urgently address the estimated \$360,000,000 annual conservation funding gap and provide sustained, increased funding for Hawaii's natural resources and environment. This measure will provide additional resources to protect Hawaii's natural resources for the enjoyment of future generations while supporting the creation of thousands of jobs for Hawaii residents.

Your Committees have amended this measure by:

- (1) Replacing the term "natural resources" with "natural and cultural resources" as necessary;
- (2) Deleting language that would have made the Visitor Green Fee Program for the purpose of advancing the 2030 Aloha+ Challenge and deleting references to the 2030 Aloha+ Challenge throughout the measure;
- (3) Inserting language clarifying that the purpose of the Visitor Green Fee Program is to provide sustained and increased funding for the protection, restoration, and care of Hawaii's natural, cultural, and outdoor recreational resources and to build the resilience of these resources against the impacts of climate change and local threats;
- (4) Clarifying that the Hawaii Environmental Legacy Commission shall rank project applications and make recommendations to the Board of Land and Natural Resources regarding the allocation of the Visitor Green Fee Program funds from the Hawaii Environmental Legacy Special Fund;
- (5) Requiring the Board of Land and Natural Resources to prioritize projects that directly support the protection, restoration, and care of Hawaii's natural, cultural, and outdoor recreational resources;

- (6) Requiring the annual report published by the Department of Land and Natural Resources to include how the Hawaii Environmental Legacy Special Fund promotes the protection, restoration, and care of Hawaii's natural, cultural, and outdoor recreational resources;
- (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 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. 636, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 636, 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 (Kim, Wakai, Fevella). Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.

**SCRep. 568 Water and Land on S.B. No. 409**

The purpose and intent of this measure is to:

- (1) Appropriate funds to the Department of Land and Natural Resources for the Community Fuels Reduction Project; and
- (2) Require the Department of Land and Natural Resources, beginning with fiscal year 2025-2026 and each fiscal year thereafter, to establish the Community Fuels Reduction Project as a separate line item within the Department's budget.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Labor and Industrial Relations, State Fire Council, Honolulu Fire Department, Department of Fire and Public Safety of the County of Maui, Hawai'i Fire Department, Big Island Invasive Species Committee, Hawaii Wildfire Management Organization, Hydroponics Alternatives LLC, Stone Creek Fire LLC, Livable Hawaii Kai Hui, Puu Lani Ranch Homeowners' Association, and eleven individuals.

Your Committee finds that the Department of Land and Natural Resources is statutorily mandated to take measures for the prevention of wildland fires within the Division of Forestry and Wildlife managed lands and to cooperate with county and federal fire agencies in developing plans and programs for the prevention of wildfires on lands not managed by the Division. Your Committee further finds that ongoing climate change will result in warmer, drier conditions and droughts, and can lead to longer and more active fire seasons. Your Committee finds that appropriations are necessary to continue the Community Fuels Reduction Project. Therefore, this measure appropriate funds to the Department of Land and Natural Resources for the Community Fuels Reduction Project and requires the Department of Land and Natural Resources, beginning with fiscal year 2025-2026 and each fiscal year thereafter, to establish the Community Fuels Reduction Project as a separate line item within the Department's budget.

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. 409, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 409, 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. 569 Water and Land on S.B. No. 798**

The purpose and intent of this measure is to clarify that a developer is responsible for ensuring that the use of out-of-state time share units for time sharing purposes complies with zoning and land use laws and rules of the jurisdiction where the time share units are located but is not required to submit evidence of such compliance to register in Hawaii.

Your Committee received testimony in support of this measure from American Resort Development Association Hawai'i, Marriott Vacations Worldwide, Hilton Grand Vacations, and Maui Hotel and Lodging Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that to enforce the zoning requirements established for time sharing and transient vacation rentals in the State, the Department of Commerce and Consumer Affairs requires that developers submit a written confirmation of county zoning form. This form must be signed by the county where the time share units are located and is intended to confirm that the time share plan meets the zoning limitations outlined in section 514E—5, Hawaii Revised Statutes (HRS). However, your Committee finds that because sections 514E—4 and 514E—5, HRS, were intended to address only the zoning of Hawaii property, section 514E—30, HRS, provides that those sections do not apply to non-Hawaii property. Your Committee further finds that the 1980 Hawaii Time Share Act does not attempt to impose or enforce the zoning requirements applicable to out-of-state time share units, nor does that Act require that developers submit evidence that out-of-state time share units comply with the zoning laws where the time share units are located.

Therefore, this measure clarifies that a developer is responsible for ensuring that the use of out-of-state time share units for time sharing purposes complies with zoning and land use laws and rules of the jurisdiction where the time share units are located but is not required to submit evidence of such compliance to register in Hawaii.

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. 798, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 798, 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. 570 Water and Land on S.B. No. 1136**

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to conduct a study of the carrying capacity of Makena State Park in the County of Maui; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Maui, Kihei Community Association, and Maui Tomorrow Foundation. 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 one individual.

Your Committee finds that that Makena State Park is a unique community resource not only for south Maui but for all the people of the island. As with other state beach parks, the increase in tourism volume has resulted in an excess of visitor traffic to Makena State Park, necessitating further investment in this iconic area.

Your Committee further finds that when increased tourism volume created a strain at Haena and Waianapanapa state parks, a carrying capacity study was conducted and a tourism management plan was put into place. The plan allowed for the generation of additional revenue from the increased traffic and ensured that residents' public access to these important community assets would be preserved. Therefore, this measure requires the Department of Land and Natural Resources to conduct a study of the carrying capacity of Makena State Park in the County of Maui.

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. 1136, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1136, 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. 571 Water and Land on S.B. No. 775**

The purpose and intent of this measure is to:

- (1) Require hunting guides who take their clients to hunt on private lands to first obtain written permission from the owner of the private land, or occupier or holder, where appropriate; and
- (2) Require hunting guides to provide copies of the written permissions obtained to hunt on private lands as part of their annual reports 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; Hawaii Cattlemen's Council, Inc.; and three individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that with the rising popularity of guided hunting tours, some hunting guides are taking their clients to hunt on private lands without obtaining permission from the landowners, and landowners have alarmingly witnessed unknown persons walking on their land with guns or other weapons. Your Committee finds that while existing law prohibits hunters from hunting on private lands without first obtaining permission from the landowner, some hunting guides misrepresent to their clients that they have obtained verbal permission from the landowner, leading to disagreements and allegations of trespassing, which damages the reputation of the State's guided hunting tour industry. Therefore, this measure requires hunting guides who take their clients to hunt on private lands to first obtain written permission from the owner of the private land, or occupier or holder, where appropriate, and requires hunting guides to provide copies of the written permissions obtained to hunt on private lands as part of their annual reports 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. 775, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 775, 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. 572 Health and Human Services on S.B. No. 1369**

The purpose and intent of this measure is to repeal the requirement to transfer the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the University of Hawai'i System and Oahu Regional Health Care System.

Your Committee finds that Act 212, Session Laws of Hawaii 2021, initiated the transfer of the Oahu Regional Health Care System to the Department of Health and required the two to establish a working group to facilitate the transition. The working group determined the transition would require at least 2.5 years to complete, approximately \$10,300,000 to effectuate the transition, and roughly \$5,000,000 per year to maintain operations. Recognizing that the protracted timeline and estimated costs to implement and maintain the transition may outweigh the transition's anticipated benefits, this measure would repeal the requirement to transfer the Oahu Regional Health Care System to the Department of Health.

Your Committee notes that, per testimony received by your Committee, the transfer of the Oahu Regional Health Care System to the Department of Health may warrant reevaluation. Therefore, amendments to this measure are necessary to allow for further review.

Your Committee has amended this measure by:

- (1) Deleting language that would have repealed the requirement to transfer the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health;
- (2) Inserting language that requires by December 31, 2027, the transfer of the Oahu Regional Health Care System in its entirety from the Hawaii Health Systems Corporation to the Department of Health; 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1369, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1369, 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 (Shimabukuro).

**SCRep. 573 Health and Human Services on S.B. No. 1038**

The purpose and intent of this measure is to:

- (1) Clarify reimbursement for telehealth services via an "interactive telecommunications system";
- (2) Define "interactive telecommunications system"; and
- (3) Clarify that interactive telecommunications may include audio-only communication for services related to diagnosis, evaluation, or treatment of a mental health disorder, under certain circumstances.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Hawaiian Islands Association for Marriage and Family Therapy; Hawai'i Primary Care Association; National Association of Social Workers - Hawai'i; Hawai'i Psychological Association; AARP Hawai'i; Elemental Guidance, LLC; Hawaii Substance Abuse Coalition; Hawaii Medical Association; Hawai'i Parkinson Association; American Cancer Society Cancer Action Network; Hawaii Disability Rights Center; Hawai'i Pacific Health; Alzheimer's Association; Kapolei Chamber of Commerce; AlohaCare; and twenty-seven individuals. Your Committee received testimony in opposition to this measure from the Hawaii Counseling and Education Center, Inc. Your Committee received comments on this measure from the Department of Human Services, Department of Commerce and Consumer Affairs, and Hawaii Medical Service Association.

Your Committee finds that many residents in underserved and low-income communities where cellular data plans and broadband are inaccessible are unable to utilize telehealth services that require internet connectivity. The Centers for Medicare and Medicaid Services authorizes coverage of audio-only services used in the treatment of mental health and substance abuse, under certain circumstances, allowing federally qualified health centers and rural health clinics to use telehealth to care for patients in patients' homes. This measure authorizes the use of standard telephone contacts for telehealth purposes; in certain circumstances to ensure coverage parity across managed care plans and commercial health care plans.

Your Committee notes the concerns raised by Hawaii Medical Service Association that care provided via audio-only interactive telecommunications has not been proven to be as effective as care provided in person or via telehealth. Therefore, reimbursement for audio-only visits should not equal that of face-to-face visits. Further, behavioral health providers obtain valuable insights through face-to-face interactions. Requirements similar to those of the Centers for Medicare and Medicaid Services, which specify periodic in-person visits, are necessary. Additionally, the Centers for Medicare and Medicaid Services' temporary telehealth provisions are scheduled to end on December 31, 2024. A corresponding sunset date to this measure would allow time to study the efficacy and value of audio-only visits for behavioral health. Therefore, should your Committee on Commerce and Consumer Protection choose to deliberate on this measure, your Committee respectfully requests that it considers examining these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the definition of "interactive telecommunications system" is consistent with that used by the Centers for Medicare and Medicaid Services, as the term is defined in title 42 Code of Federal Regulations section 410.78(a), as amended, relating to telehealth services; 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1038, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1038, 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 (Shimabukuro).

**SCRep. 574 Health and Human Services on S.B. No. 1370**

The purpose and intent of this measure is to:

- (1) Establish a uniform fee for licenses to solemnize marriages; and
- (2) Specify in what amount and to which fund the fee shall be deposited.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that there is a fee for the procurement of a civil license to solemnize marriages. However, neither religious nor judicial licenses to solemnize marriages require fees. To rectify this inequitable practice, this measure establishes a uniform fee for licenses to solemnize marriages.

Your Committee has considered the testimony of the Department of Health and consistent therewith has amended this measure by:

- (1) Establishing a standard license, valid for one year from the date of issuance, and a short-term license, valid for sixty days from the date of issuance, to solemnize marriages;
- (2) Establishing a fee of \$100 per year for the issuance of a standard license and \$25 per sixty-day period for the issuance of a short-term license;
- (3) Specifying that for each standard license fee, \$75 shall be deposited to the Vital Statistics Improvement Special Fund and \$25 to the General Fund;
- (4) Specifying that for each short-term license fee, \$20 shall be deposited to the Vital Statistics Improvement Special Fund and \$5 to the General Fund;
- (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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1370, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1370, 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 (Shimabukuro).

**SCRep. 575 (Majority) Health and Human Services on S.B. No. 239**

The purpose and intent of this measure is to:

- (1) Establish within the Department of Human Services' Child Care Assistance Program, a Child Care Accreditation Program to support licensed or registered child care providers to obtain accreditation from a national early learning accrediting organization;
- (2) Extend the deadline by which unaccredited service providers of the Preschool Open Doors Program must commence the national early learning accrediting organization accreditation process and obtain accreditation;
- (3) Appropriate an unspecified amount of funds for the establishment, implementation, and administration of the Child Care Accreditation Program, including funding for one full time equivalent (1.0 FTE) position; and
- (4) Appropriate an unspecified amount of funds to be deposited into the Child Care Grant Program Special Fund to award grants to private child care providers participating in the Child Care Accreditation Program.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Early Learning Board, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy Project, AAUW of Hawaii, Hawai'i Association of School Psychologists, and ten individuals. Your Committee received comments on this measure from the Department of Human Services and Department of the Attorney General.

Your Committee finds that the Preschool Open Doors Program is the State's school readiness program that serves low- to moderate-income families whose children will be eligible for kindergarten in the following school year. The program provides critical subsidies for income-eligible families sending their children to a licensed preschool during the year prior to kindergarten entry. To ensure that children participating in the program are receiving certain levels of care, existing law requires service providers who have not obtained accreditation from a national early learning accrediting organization by July 1, 2022, to start the accreditation process no later than July 1, 2024, and be accredited by July 1, 2029. However, the effects of the coronavirus disease 2019 pandemic have delayed this process for many child care providers. This measure will provide the additional time and funds needed for child care providers to obtain the necessary accreditation.

Your Committee acknowledges the concerns raised by the Department of Human Services regarding the eligibility requirements for the Child Care Accreditation Program. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the Child Care Accreditation Program shall be established within the Department of Human Services' Child Care Subsidy Program Office;
- (2) Expanding the accrediting entity to organizations approved by the Director of Human Services;
- (3) Inserting a definition for "eligible child care provider" to mean a child care facility that is not part of or owned or operated by a private educational institution; provided that an organization or individual that owns or operates both a private educational institution and a child care facility may be deemed an "eligible child care provider" if the organization or individual can provide evidence that the operations and finances of the private educational institution are completely separate from the operations and finances of the child care facility so that it is clear that a child care grant would not support or benefit the private educational institution in violation of article X, section 1 of the Hawaii State Constitution;
- (4) Allowing the funds appropriated for the Child Care Accreditation Program to be used to fund the annual accreditation fees incurred by eligible child care providers participating in the Preschool Open Doors program;
- (5) Amending section 1 to reflect its amended purpose;
- (6) Inserting an effective date of December 31, 2050, 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 239, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 239, 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 (Awa). Excused, none.

**SCRep. 576 (Majority Health and Human Services on S.B. No. 129**

The purpose and intent of this measure is to:

- (1) Expand the provisions for a minor to consent to no-cost emergency shelter and related services under certain circumstances provided that the provider supplying the shelter is licensed and in compliance with zoning and safety regulations;
- (2) Require the Department of Human Services to make every effort to have a shelter for minors on each island;
- (3) Make permanent, the amendments to the definition of "provider" to include organizations that are not child placing organizations or child caring institutions that meet certain criteria; and
- (4) Require the Department of Human Services to amend its administrative rules to allow non-licensed child placing organizations with documented experience providing shelter and supportive services to be pre-qualified for a certificate of approval from the Department of Human Services.

Your Committee received testimony in support of this measure from Rainbow Family 808.com Inc., Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i Youth Services Network, Hawai'i Health & Harm Reduction Center, and three individuals. Your Committee received comments on this measure from the Department of Human Services, Office of Youth Services, Department of the Attorney General, Opportunity Youth Action Hawai'i, and Residential Youth Services & Empowerment.

Your Committee finds that addressing the needs of unaccompanied homeless minors is a multi-faceted, statewide challenge, and that the State must take action to better provide services for homeless unaccompanied minors throughout the islands. This measure supports youth experiencing homelessness by increasing opportunities for them to access shelters and related services and independently consent to these services.

Your Committee acknowledges testimony by the Department of the Attorney General recommending that the provision in this measure requiring shelter providers to be licensed and in compliance with zoning and safety regulations be removed, as a provider's obligation to contact a minor's parent when the minor seeks emergency shelter is unrelated to licensing and zoning and safety regulations.

Your Committee also notes certain testimony by the Department of Human Services stating that non-licensed child placing organizations do not exist in the State, thereby making moot the measure's requirement that the Department amend its administrative rules to pre-qualify non-licensed child placing organizations for a license.

Your Committee further acknowledges the concerns raised by the Office of Youth Services over the co-habitation of unrelated minors and adults within the same facility without fully separated service areas. Your Committee also notes testimony that the Safe Spaces for Youth Pilot Program, an inter-agency initiative to provide safe spaces in each county for youth experiencing homelessness that was established by Act 130, Session Laws of Hawaii 2022, already requires the Department of Human Services to procure contracts to operate homeless shelters in each county for youth aged fourteen to twenty-four years of age.

Therefore, amendments to this measure are necessary to address these matters.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required providers supplying shelter to be licensed and be in compliance with zoning and safety regulations with regard to a provider's obligation to contact the parents of the minor seeking emergency shelter;

- (2) Deleting language that would have required the Department of Human Services to make every effort to ensure every island has a shelter for unaccompanied minors;
- (3) Clarifying that providers shall maintain separation for unrelated adults and minor children;
- (4) Deleting section 3 of the measure, which would have required the Department of Human Services to amend its administrative rules to allow certain non-licensed child placing organization to be pre-qualified for a certificate of approval;
- (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 record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 129, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 129, 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, 1 (Awa). Excused, none.

**SCRep. 577 Health and Human Services on S.B. No. 235**

The purpose and intent of this measure is to require the Department of the Attorney General to:

- (1) Develop and implement a Human Trafficking Prevention Program to prevent human trafficking and provide increased support and assistance to victims of human trafficking and victims of the commercial sexual exploitation of children;
- (2) Submit a report to the Legislature before the Regular Session of 2024 on the State's efforts to address the commercial sexual exploitation of children; and
- (3) Submit a report to the Legislature before the Regular Session of 2025 on the State's efforts to address human trafficking.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i State Commission on the status of women, Zonta Club of Hilo, Catholic Charities Hawai'i, Hawai'i Women Lawyers, Imua Alliance, and three individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that children, particularly those who are at-risk for mental illnesses and substance abuse issues, are vulnerable to sex trafficking and commercial sexual exploitation. Additionally, the Department of Human Services has been receiving an increasing number of hotline calls involving witnesses or victims of child sex trafficking; however, due to the covert nature of child sex trafficking and the reluctance of exploited youth to identify themselves as victims, it is difficult to accurately measure the scope of the problem. To adequately serve children who have been sexually exploited, your Committee believes that a statewide human trafficking program is needed to develop and utilize comprehensive interagency case management strategies, protocols, and a multi-disciplinary response that is both victim-centered and offender-focused.

Your Committee notes that the Department of the Attorney General currently has an established Human Trafficking Abatement Section and participates with law enforcement agencies, governmental departments, and community service providers to combat human trafficking. Accordingly, this measure will support the Department of the Attorney General's efforts and ensure the continuity of its critical work in these areas.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of the Attorney General shall implement strategies to address accountability for child enticement, commercial sexual exploitation, pimping, and human trafficking through law enforcement efforts, prosecutions, and crime prevention efforts;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 235, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 235, 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. 578 Higher Education on S.B. No. 1511**

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 the Corporation's undertakings to acts that are reasonably necessary to carry out its stated purpose.

Your Committee received testimony in support of this measure from the International Longshore & Warehouse Union Local 142 and twenty-nine individuals. Your Committee received testimony in opposition to this measure from the Research Corporation of the University of Hawai'i, Subcontractors Association of Hawaii, and twenty-eight individuals. 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 the Research Corporation of the University of Hawaii was established for the purposes of promoting, encouraging, initiating, developing, and conducting scientific research and investigation in all branches of learning and disseminating this research and investigation to the public. When establishing the Corporation, to promote cooperative research projects, the Legislature granted the Corporation flexibility in the hiring of its personnel and handling and disbursement of moneys by exempting it from certain state laws. However, the Corporation has gradually expanded its undertakings into areas beyond its intended purpose, and the benefits of exemptions from statutory requirements have been extended to apply beyond the Legislature's original intent. Therefore, to facilitate greater accountability and transparency of the Corporation, this measure clarifies the purpose of the Research Corporation of the University of Hawaii and limits the Corporation's activities to those reasonably necessary to carry out its purpose.

Your Committee has amended this measure by:

- (1) Specifying that this measure addresses an issue of statewide concern;
- (2) Clarifying the University shall notify the appropriate bargaining unit for state projects or programs involving the Corporation or the Corporation and a state employee;
- (3) Removing language that would have required the Corporation to provide to the Legislature justification for the employment of civil service employees;
- (4) Requiring the Corporation to obtain the Governor's approval on all initial requests for service projects;
- (5) Removing language that would have authorized the Corporation to allow minor renovation projects in support of research and training not to exceed \$2,000,000;
- (6) Clarifying that the Corporation shall be authorized to set up a special account for depositing moneys received from either public or private contracts, or from public or private grants, awards, or gifts related to research and training;
- (7) Limiting Corporation internal service orders and revolving accounts that use University intramural funds to certain projects relating directly to research and training; 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1511, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1511, 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 (Fukunaga). Noes, none. Excused, none.

**SCRep. 579      Agriculture and Environment on S.B. No. 756**

The purpose and intent of this measure is to establish the Access to Local Food Act to authorize 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 Food+ Policy Internship 2023, Hawai'i Farmers Union United, Big Island Box, Hawaii Master Food Preservers, Institute for Justice, Hawai'i Farm Bureau, and ten individuals. Your Committee received comments on this measure from the Department of Agriculture and Grassroot Institute of Hawaii.

Your Committee finds that local food production is integral to the State's economic development and food security. Homemade food that is sold directly to consumers, or "cottage food", is a small but growing industry, and cottage food is preferred among many consumers who are mindful of responsible sourcing and healthy eating options, and want to support local communities and individuals. However, the existing regulatory framework creates several challenges for entrepreneurs, especially individuals in rural areas who are unable to access commercial or certified kitchens. Additionally, the Department of Health does not provide certain exemptions for cottage foods. This measure establishes the Access to Local Food Act to authorize cottage food operations in the State, under certain conditions and upon receipt of a permit from the Department of Health, to support the State's economy and increase tax revenues.

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. 756 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; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

**SCRep. 580      Agriculture and Environment on S.B. No. 508**

The purpose and intent of this measure is to:

- (1) Require the Clean Water Branch of the Department of Health to perform water quality testing during brown water advisories, as practicable, and inform the public of health risks associated with water runoff during brown water advisories;
- (2) Require the Department of Health to consider environmental justice issues when making certain assessments and determinations; and
- (3) Appropriate funds for the establishment of positions within the Department of Health.

Your Committee received testimony in support of this measure from Surfrider Foundation; Hawaii Lifeguard Hui; Polaniu Hiu; Windward Coalition; Sierra Club of Hawai'i; Hui O He'e Nalu, Inc; EarthJustice; Friends of Maha'ulepa; Waiwai'ola Waterkeepers; Center for Biological Diversity; Kia'i Wai O Wai'ale'ale; Kaiola Canoe Club; West Maui Preservation Association; Hawaii Association for Marine Education and Research; Friends of Hanauma Bay; Maui Tomorrow; Young Progressives Demanding Action Hawai'i

Environmental Justice Action Committee; Hawaii Wildlife Fund; Wastewater Alternatives and Innovations; The Kali'i Group; Mālama Maunaloa; Kihei Community Association, HI Strikes Back; and seven individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that the ocean is a vital part of community life in Hawaii, from recreation and meal gatherings to cultural and traditional practices, and that the way of life in Hawaii comes part and parcel with clean coastal beaches and waters. Your Committee additionally finds that statewide water quality monitoring at beaches in Hawaii currently lags behind other states, favors beaches predominately visited by tourists, and lacks data from wet weather and heavy rains that lead to runoff and brown water events. Thus, this measure will require the Department of Health to continue to test water quality during brown water advisories, issue health advisories to explain health risks associated with water runoff, consider environmental justice issues in assessments, and appropriate funds for the establishment of full-time employees to implement this initiative.

Your Committee has amended this measure by:

- (1) Clarifying that the Clean Water Branch shall adhere to their regularly scheduled beach sampling schedule;
- (2) Deleting the requirement that the Department of Health make proactive efforts to communicate brown water advisories with the public and replacing it with a requirement to post informational signs during brown water advisories at tier 1 beaches that explain the health risks associated with water runoff; and
- (3) Clarifying that the Department of Health shall prioritize environmental justice issues.

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. 508, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 508, 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, Richards). Noes, none. Excused, none.

**SCRep. 581 Commerce and Consumer Protection on S.B. No. 1131**

The purpose and intent of this measure is to amend the definitions of “time share interest” and “time share plan” to include any fractional ownership plan for a joint homeownership limited liability company, or any other entity.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that a time share plan, which allows an entity to purchase a small interest in a property and provides that entity the right to occupy the property for a period proportionate to the size of the entity’s investment, is regulated by chapter 514E, Hawaii Revised Statutes. However, a new form of joint homeownership designed to evade the State’s time share plan laws has emerged in the form of time share limited liability companies. Under this scheme, buyers purchase shares in a limited liability company that owns a property and the buyers use the property as a second home. Your Committee finds that this type of joint homeownership should fall within the scope of the State’s time share law. Accordingly, this measure amends the definitions of “time share interest” and “time share plan” to include any fractional ownership plan for a joint homeownership limited liability company, or any other entity.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1131, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1131, 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. 582 (Majority) Commerce and Consumer Protection on S.B. No. 1178**

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 Consumer Protection of the Department of Commerce and Consumer Affairs and three individuals. Your Committee received testimony in opposition to this measure from the State Privacy & Security Coalition and TechNet. Your Committee received comments on this measure from Hawaii Bankers Association, Hawaii Financial Services Association, and Hawaii Credit Union League.

Your Committee finds that the public use of the Internet and related technologies has significantly expanded in recent years. Nevertheless, a lack of meaningful government regulation has resulted in personal privacy being compromised. Chapter 487N, Hawaii Revised Statutes, requires certain businesses and government agencies that collect “personal information” to notify the public of data breaches. However, the definition of “personal information” as used in existing law is now outdated and is not comprehensive enough to cover additional personal identifiers. This measure modernizes the definition of “personal information” in chapter 487N, Hawaii Revised Statutes.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1178, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1178, 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 (Richards). Noes, 1 (Awa). Excused, none.

**SCRep. 583 (Joint) Commerce and Consumer Protection and Housing on S.B. No. 1206**

The purpose and intent of this measure is to exempt a depository from the requirement to pay all deposits of public funds upon demand if the depository has provided loans with below-market interest rates and longer terms for housing projects where all dwelling units are exclusively reserved for owner-occupants who own no other real property and are residents of the State.

Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs and Department of Budget and Finance.

Your Committees find that chapter 38, Hawaii Revised Statutes, authorizes the Director of Finance to deposit the State's money into depositories, which includes state and national banks, credit unions, and other financial institutions. Depositories that hold public funds must pay the State's funds back to the State upon request by the Director of Finance and Comptroller. However, given the lack of affordable housing in the State, creative solutions are needed to incentivize the development of affordable housing. This measure exempts depositories from the requirement to pay all deposits of public funds upon demand if the depository has provided loans with below-market interest rates and longer terms for housing projects where all dwelling units are exclusively reserved for owner-occupants who own no other real property and are residents of the State.

Your Committees acknowledge the testimony of the Department of Commerce and Consumer Affairs and Department of Budget and Finance, who raised concerns that the State should always have access to its deposited cash on hand.

Therefore, your Committees have amended this measure by:

- (1) Amending the exemption granted to depositories to be at the discretion of the Director of Finance; 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 Commerce and Consumer Protection and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1206, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1206, 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, 5. Noes, none. Excused, none.

Housing: Ayes, 4. Noes, none. Excused, 1 (Rhoads).

**SCRep. 584 (Majority) Commerce and Consumer Protection on S.B. No. 1324**

The purpose and intent of this measure is to amend various provisions of the State's insurance laws. Specifically, this measure:

- (1) Adds a Health Insurance Administrator Deputy Commissioner position;
- (2) Defines "dormant captive insurance company" and sets out a procedure to apply for the certificate of dormancy;
- (3) Adds the term "doing business as" to "trade name" statutory references;
- (4) Clarifies continuing education provider filing requirements;
- (5) Clarifies reinsurance intermediary-manager filing requirements;
- (6) Amends the surety bond threshold requirement for third party administrators and clarifies the audited financial statements requirements;
- (7) Adopts the revised National Association of Insurance Commissioners Model #880 Unfair Trade Practices Act regarding expansion of value-added products beyond health products;
- (8) Aligns section 431:13-103, Hawaii Revised Statutes, with changes made to article 9 of chapter 431, Hawaii Revised Statutes, by Act 110, Session Laws of Hawaii 2021; and
- (9) Amends the definition of "controlled unaffiliated business" and "participant" as applied to captive insurance companies.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, American Council of Life Insurers, NAIFA Hawaii, and Hawaii Captive Insurance Council.

Your Committee finds that updating the State's insurance laws is necessary for clarity, to provide greater protections to consumers, improve the administration and enforcement of regulated entities, and modernize insurance regulation to conform with current technologies and practices in the insurance industry. This measure will accomplish these goals.

Your Committee acknowledges the testimony of the Department of Commerce and Consumer Affairs, which requested that sections 1 and 3 of this measure, which establishes a Health Insurance Administrator position and exempts the position from the State's civil service law be deleted. Your Committee also acknowledges the testimony of the American Council of Life Insurers, which notes that while this measure adopts certain provisions from the National Association of Insurance Commissioners' Model #880 Unfair Trade

Practices Act (Model Act), this measure omits key provisions from the Model Act. Thus, amendments are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting sections 1 and 3 of this measure, which would have established a Health Insurance Administrator position and exempted the position from the State's civil service law;
- (2) Inserting provisions from the Model Act, which define the "value added products or services" an insurer or producer may lawfully provide to a customer or potential customer and authorize an insurer or producer to offer gifts, items, or services to, and conduct raffles or drawings for, a customer or potential customer, under certain conditions;
- (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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1324, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1324, 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 (Awa). Excused, none.

**SCRep. 585 Commerce and Consumer Protection on S.B. No. 1326**

The purpose and intent of this measure is to:

- (1) Provide amendments to external review procedures to improve consistency with the National Association of Insurance Commissioners Uniform Health Carrier External Review Model Act; and
- (2) Require health insurers, mutual benefit societies, and health maintenance organizations 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 and Hawai'i Women Lawyers.

Your Committee finds that the State's external review process for health plans, codified in chapter 432E, Hawaii Revised Statutes, Part IV, is based largely on the National Association of Insurance Commissioners Uniform Health Carrier External Review Model Act (Model Act). However, state law and the Model Act differ significantly with respect to external review, or situations where an insured seeks an independent review of a health insurer's decision to refuse to pay for or authorize a treatment or service. Existing law compels the Insurance Commissioner to follow a procedure that requires rendering a determination as to whether an enrollee is eligible for external review, regardless of whether there is sufficient information or whether the determination is complicated by issues outside the Insurance Commissioner's jurisdiction. This measure will align state law with the Model Act, which provides the Insurance Commissioner with permissive authority to send a case to external review if the Commissioner determines that the case is eligible. This measure also clarifies that health plans must provide any documents they have received related to an external review request to the independent review organization assigned to conduct an external review.

Your Committee also finds that mammograms are effective in detecting breast cancer at an early stage, which is when treatment is most likely to be successful. However, there are many barriers that prevent women from seeking and obtaining routine screening. Without favorable coverage under insurance plans, women are often faced with having to choose between having to pay for what is generally seen as an "elective procedure" and other important expenses, like rent or buying food for their families. Accordingly, this measure requires that insurers, mutual benefit societies, and health maintenance organizations cover mandated services for mammography at least as favorably as coverage for other radiological examinations.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1326, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1326, 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. 586 Commerce and Consumer Protection on S.B. No. 1380**

The purpose and intent of this measure is to:

- (1) Define "waiting room" within a medical cannabis retail dispensary and allow primary caregivers, qualifying out-of-state patients, and caregivers of a qualifying out-of-state patient to access the waiting room;
- (2) Clarify that each day of a violation of chapter 329D, Hawaii Revised Statutes, is a separate violation; and
- (3) Amend the rule-making authority for dispensary-to-dispensary sales.

Your Committee received testimony in support of this measure from the Department of Health, Cure Oahu, Maui Grown Therapies, and Pono Life. Your Committee received comments on this measure from Metrc.

Your Committee finds under the existing medical cannabis dispensary law, any person who is not a “qualifying patient” is not allowed to be on the premises of a medical cannabis retail location. Adding a definition of “waiting room” will better serve the needs of qualifying patients by allowing caregivers to assist patients into retail dispensary locations. Your Committee also finds that amendments to this measure are necessary to allow the Office of Medical Cannabis Control and Regulation to maintain interim rule-making authority and to clarify that each day of a violation of chapter 329D, is a separate violation. This measure makes these necessary amendments and addresses certain patient needs that have come to light since the inception of the medical cannabis dispensary program.

Your Committee acknowledges the testimony of Maui Grown Therapies, which proposed amendments to the medical cannabis and medical cannabis dispensary program that would enhance patient centered services and provide more effective cannabis continuing education.

Accordingly, your Committee has amended this measure by:

- (1) Inserting a provision clarifying that written certifications for a patient with a chronic condition be valid for three years;
- (2) Repealing the existing requirement that a certifying physician and advanced practice registered nurse have a “bona fide” relationship with a qualifying patient;
- (3) Inserting a provision requiring medical cannabis dispensaries, in conjunction with physicians and advanced practice registered nurses who issue written certifications pursuant to section 329-123, Hawaii Revised Statutes, to conduct the continuing education and training program required by section 329D-26, Hawaii Revised Statutes, and repealing language that requires the Department of Health to employ staff to conduct the medical cannabis health education;
- (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. 1380, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1380, 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. 587 Commerce and Consumer Protection on S.B. No. 1381**

The purpose and intent of this measure is to repeal section 328-106, Hawaii Revised Statutes, which provides the Department of Health the authority to regulate pharmacy benefit managers that reimburse a contracting pharmacy for a drug on a maximum allowable cost basis.

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 pursuant to chapter 328, Hawaii Revised Statutes, the Department of Health regulates food, drugs, and cosmetics in a similar manner that the federal Food and Drug Administration (FDA) regulates food, drugs, and cosmetics under the Federal Food, Drug, and Cosmetics Act (Title 21 United States Code sections 301 et seq.). The FDA and the Department of Health promote and protect public health by ensuring the efficacy and safety of prescription drugs. Neither agency regulates the business practices of insurance companies or pharmacies. However, section 328-106, Hawaii Revised Statutes, requires pharmacy benefit managers that reimburse contracting pharmacies for a drug on a maximum allowable cost basis to make certain information available to those pharmacies and establishes an appeals process for those pharmacies. Ensuring that pharmacy benefit managers comply with section 328-106, Hawaii Revised Statutes, is outside the scope of the Department of Health’s purview and expertise. This measure therefore repeals section 328-106, Hawaii Revised Statutes.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1381, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1381, 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. 588 (Majority) Commerce and Consumer Protection on S.B. No. 1468**

The purpose and intent of this measure is to:

- (1) Authorize professional land surveyors to enter any private property to perform land surveying, subject to certain provisions regarding notice, identification, and liability; and
- (2) Shield land surveyors from prosecution under criminal trespass laws when performing their duties.

Your Committee received testimony in support of this measure from the City and County of Honolulu; Board of Professional Engineers, Architects, Surveyors, and Landscape Architects; DLB & Associates, LLC; and nine individuals. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Association of REALTORS.



Your Committee finds that professional land surveyors often require the right to access private property for the purposes of producing a thorough and complete land survey. The current practice for surveyors and assistants is to verbally ask for permission to enter a property for purposes of surveying. However, without a right of entry, a professional land surveyor conducting a land survey is subject to trespass laws, prohibiting them from conducting a land survey required to ensure the public's interest in maintaining a sound and uniform real property system. This measure seeks to mitigate certain risks while balancing property rights and protect land surveying professionals.

Your Committee acknowledges the testimony of the Department of the Attorney General, which raises concerns that enabling the right of access onto private property beyond the property of the person requesting a survey could be considered a regulatory taking of property, which could expose the government to financial liability. Your Committee notes, however, that twenty-six other states have enacted legislation that grants a right of entry to land surveyors in the performance of their duties, similar to this measure. Additionally, your Committee finds the amendments proposed by the Department of the Attorney General help to clarify this measure, and further believes that extending the notice requirement improve this measure.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that a land surveyor's right of entry is granted to a land surveyor's assistant only if the assistant is under the direct supervision of the land surveyor;
- (2) Clarifying that the land surveyor is required to send a written notice to the owner of, or person with an interest in, the property to be surveyed;
- (3) Inserting a requirement that a land surveyor entering private property must carry a government issued identification in addition to the surveyor's certificate of licensure or authorized seal or stamp;
- (4) Extending the required written notice a land surveyor must provide before entering private property from five days to ten days' written notice; 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1468, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1468, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 589 Commerce and Consumer Protection on S.B. No. 1577**

The purpose and intent of this measure is to:

- (1) Require the Department of Commerce and Consumer Affairs to make all business registration applications available online; and
- (2) Require all applications to contain certain contact information.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that making all business registration applications available online is a vital step in streamlining the process of registering new businesses in the State. By providing businesses with the ability to register online, the amount of paperwork and time spent in the process of registering a new business can be reduced. This measure will make the process of registering a business simpler and more accessible by requiring the Department of Commerce and Consumer Affairs to make all business registration applications available online and to contain certain contact information.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1577, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1577, 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. 590 Commerce and Consumer Protection on S.B. No. 1328**

The purpose and intent of this measure is to increase the balance that may be retained in the Public Utilities Commission Special Fund (PUC special fund) at the end of each fiscal year from \$1,000,000 to \$3,000,000.

Your Committee received testimony in support of this measure from Department of Commerce and Consumer Affairs; Public Utilities Commission; Hawaiian Electric Company, Inc.; and Ulupono Initiative, LLC.

Your Committee finds that each year, public utilities operating in the State pay a public utility fee, which is deposited into the PUC special fund in July and December. The PUC special fund is the primary source of funding for the Public Utilities Commission. Existing law requires that at the end of each fiscal year, which occurs on June 30, all moneys in excess of \$1,000,000 in the PUC special fund be transferred to the state general fund. Thus, each year, the Public Utilities Commission must meet its financial

obligations from June 30 until mid-August, when the public utility fees become available, by utilizing the \$1,000,000 carryover balance. While this carryover balance was sufficient in 1994 when the law was enacted, the responsibilities and operational costs of the Public Utilities Commission have grown significantly. With the Public Utilities Commission's role in developing renewable energy projects in order to meet the State's renewable energy goals, the \$1,000,000 carryover balance will soon be insufficient to meet the Public Utilities Commission's obligations between the end of the fiscal year and the availability of the mid-year deposit into the PUC special fund. This measure increases the carryover balance that may be retained in the PUC special fund from \$1,000,000 to \$3,000,000.

Your Committee has amended this measure by:

- (1) Inserting a blank amount that may be retained in the PUC special fund; 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1328, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1328, 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. 591 (Joint/Majority) Energy, Economic Development, and Tourism and Public Safety and Intergovernmental and Military Affairs and Higher Education on S.B. No. 458**

The purpose and intent 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 royalties from geothermal resources into the University Innovation and Commercialization Initiative Special Fund, to be expended by the Hawaii Groundwater and Geothermal Resources Center, to further the discovery and development of geothermal resources; and
- (3) Require the entities that receive geothermal royalties to submit an annual report to the Legislature.

Your Committees received testimony in support of this measure from the University of Hawai'i System, Hawaii Center for Advanced Transportation Technologies, Sustainable Energy Hawai'i, Ulupono Initiative, and 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 Hawaii State Energy Office, Office of Hawaiian Affairs, and Department of Research and Development for the County of Hawaii.

Your Committees find that firm renewable energy sources, such as geothermal, will be necessary to meet the State's one hundred percent renewable portfolio standard by 2045. Your Committees also find that the State faces many competing demands for available land, and geothermal projects use the least amount of land per megawatt of renewable power produced. Your Committees believe that the State will benefit by using royalties from geothermal resources to further explore the geothermal energy potential in the State. This measure will allow the State to reach its renewable energy goals and expand the geothermal energy industry in the State by allocating a portion of the royalties from geothermal energy resources to the University of Hawaii to further the discovery and development of geothermal resources.

Your Committees have amended this measure by:

- (1) Clarifying the royalties that shall be deposited into the University Innovation and Commercialization Initiative Special Fund and requiring the funds to be used to further the discovery and development of geothermal resources and to establish additional exploratory wells for geothermal energy;
- (2) Deleting language that would have capped the amount of royalties from geothermal resources a county could receive;
- (3) Specifying that, of all royalties received by the State from geothermal resources, ten percent shall be paid to the county where the mining operations are situated, twenty percent shall be deposited into the University Innovation and Commercialization Initiative Special Fund, fifty percent shall be paid to the Department of Land and Natural Resources, and twenty percent shall be paid to the Office of Hawaiian Affairs;
- (4) Deleting language that would have annually capped the amount of royalties from geothermal resources distributed to the State; 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, Public Safety and 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. 458, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 458, 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.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4; Ayes with Reservations (Elefante, McKelvey). Noes, 1 (Awa). Excused, none.

Higher Education: Ayes, 4; Ayes with Reservations (Kidani). Noes, none. Excused, 1 (Keith-Agaran).

**SCRep. 592 (Joint/Majority) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 1002**

The purpose and intent of this measure is to direct the Hawaii State Energy Office, in conjunction with the Hawaii Natural Energy Institute, to develop and submit an interim strategy report and final strategy report no later than forty days prior to the convening of the Regular Sessions of 2024 and 2025, respectively, for the construction of at least one atmospheric carbon capture plant in the State by 2028.

Your Committees received testimony in support of this measure from three individuals. Your Committees received testimony in opposition to this measure from nine individuals. Your Committees received comments on this measure from the Department of the Attorney General, Hawaii State Energy Office, and one individual.

Your Committees find that the threat posed by climate change is of serious concern globally and to the State and proactive measures are needed to combat rising record high temperatures and more frequent incidences of extreme weather. Your Committees believe that, in addition to reducing carbon emissions through the use of renewable energy, the State must utilize carbon offsetting strategies and technologies, such as carbon capture technologies. This measure will allow the State to take additional climate action beyond the adoption of renewable energy and proactively help reduce atmospheric carbon dioxide.

Your Committees have amended this measure by:

- (1) Adding legislative findings clarifying that the threat to the State posed by climate change, and the utilization of carbon offsetting strategies and technologies to limit global warming, are matters of statewide concern that fall under the Legislature's purview pursuant to article X, section 6, of the Hawaii State Constitution; 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 Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1002, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1002, 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. Noes, 1 (Awa). Excused, none.

**SCRep. 593 (Joint) Commerce and Consumer Protection and Housing on S.B. No. 22**

The purpose and intent of this measure is to:

- (1) Prohibit landlords, including those operating in public housing and educational dorm settings, from renting a dwelling unit that the landlord knows has a current bed bug infestation; and
- (2) Establish procedures that landlords shall take upon receiving notice of an actual or suspected bed bug infestation.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority and one individual. Your Committees received comments on this measure from the Hawaii Pest Control Association.

Your Committees find that there is a resurgence in the population of bed bugs in the United States. While bed bugs have not been shown to transmit disease, they can cause negative physical health, mental health, and economic consequences, including allergic reactions to bites, anxiety and insomnia, and the expenditure of financial resources to contain infestations. More than twenty states have laws or regulations specific to bed bugs. Hawaii's landlord-tenant laws, however, do not explicitly address bed bugs. This measure prohibits landlords, including those operating in public housing and educational dorm settings, from renting a dwelling unit that the landlord knows has a current bed bug infestation and establishes procedures that landlords must take upon receiving notice of an actual or suspected bed bug infestation.

Your Committees acknowledge the testimony of the Hawaii Pest Control Association, which raised concerns that the times in which a landlord must investigate a suspected bed bug infestation (five days) and take certain remedial actions after confirming a bed bug infestation (seven days), as currently required in this measure, may not be possible given the busy schedules of pest control operators. Your Committees also note the testimony voicing concern about tenants who refuse to allow their landlord or other unknown persons to enter their home, thus obstructing the landlord's duty to inspect and remediate a bed bug infestation in a timely manner. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Amending the amount of time within which a landlord shall acknowledge receipt of notification of a suspected bed bug infestation and inspect or hire investigatory services for the dwelling unit from five days to fourteen days;
- (2) Amending the amount of time within which a landlord shall take certain remedial actions upon the determination that the tenant's unit has an infestation of bed bugs from seven days to fourteen days;
- (3) Inserting a provision conditioning the landlord's duty to inspect a suspected bed bug infestation or remediate a confirmed bed bug infestation on the tenant's provision of reasonable access to the dwelling unit or common areas upon forty-eight hours' notice;
- (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 records of votes of the members of your Committees on Commerce and Consumer Protection and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 22, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 22, 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, 5. Noes, none. Excused, none.

Housing: Ayes, 4. Noes, none. Excused, 1 (Rhoads).

**SCRep. 594 (Majority) Commerce and Consumer Protection on S.B. No. 54**

The purpose and intent of this measure is to:

- (1) Prohibit the sale, offer for sale, or operation of gasoline-powered leaf blowers;
- (2) Increase the fines for offenses of leaf blower restrictions and provide for the forfeiture of gasoline-powered leaf blowers upon a third violation; and
- (3) Remove the exemption on leaf blower restrictions for government agencies.

Your Committee received testimony in support of this measure from the Department of Transportation and eight individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii, Inc. and eight individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, Outdoor Power Equipment Institute, and one individual.

Your Committee finds that the exhaust and sound emissions from gasoline-powered leaf blowers are a public nuisance and a great concern for the State's public health and welfare. The use of a commercial gasoline-powered leaf blower for one hour emits as much smog-forming pollution as a 2016 Toyota Camry being driven one thousand one hundred miles, and more than three times as much pollution as a commercial gasoline-powered lawn mower. Noise-wise, gasoline-powered leaf blowers operate at ninety decibels, which can cause hearing damage after just two hours of exposure. Accordingly, this measure prohibits the sale, offer for sale, or operation of gasoline-powered leaf blowers; increases the fines for violations of this prohibition; and removes the exemption on leaf blower restrictions for government agencies.

Your Committee received comments from several testifiers who noted that regulating the sale of gasoline-powered leaf blowers could be deemed an emissions standard, which is federally preempted by the Clean Air Act. To abide by federal regulations, amendments to this measure are necessary to regulate the noise that gasoline-powered leaf blowers emit, rather than air-pollutants, by banning the use of gasoline-powered leaf blowers in the urban land use district.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have prohibited the sale and offer for sale of a gasoline-powered leaf blower;
- (2) Inserting language prohibiting the operation of a gasoline-powered leaf blower in any urban land use district, as designated pursuant section 205-2, Hawaii Revised Statutes, at any time;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) 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. 54, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 54, 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 (McKelvey, Richards). Noes, 1 (Awa). Excused, none.

**SCRep. 595 Commerce and Consumer Protection on S.B. No. 158**

The purpose and intent of this measure is to establish that charging shipping and delivery charges that exceed the actual cost charged to the seller 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. Your Committee received testimony in opposition to this measure from Retail Merchants of Hawaii.

Your Committee finds that Hawaii residents are often barred from claiming offers for free or reduced rate shipping, which are more commonly available to purchasers in other states. Many retailers also apply an arbitrary shipping cost to Hawaii residents, which does not correlate with the actual cost of shipping. Accordingly, this measure establishes that charging shipping and delivery charges that exceed the actual cost charged to the seller to ship or deliver a commodity to a consumer in the State shall constitute an unfair and deceptive practice.

Your Committee notes that the term "commodity" as used in this measure is not defined and should be clarified. Therefore, your Committee has amended this measure by:

- (1) Replacing the term "commodity" as used in this measure with the phrase "consumer commodity or consumer package";
- (2) Inserting definitions of the terms "consumer commodity" and "consumer package"; 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 158, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 158, 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 (Richards). Noes, none. Excused, none.

**SCRep. 596 Commerce and Consumer Protection on S.B. No. 352**

The purpose and intent of this measure is to implement amendments to the Uniform Commercial Code set forth by the Uniform Law Commission.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Legislation.

Your Committee finds that the Uniform Commercial Code provides a set of laws for broad categories of commercial transactions including the sale or lease of goods, negotiable instruments, bank deposits and collections, funds transfers, letters of credit, documents of title, investment property, and secured transactions in personal property. The Uniform Commercial Code has been adopted, in part, by all fifty states and the District of Columbia. In 2022, the Uniform Commercial Code was amended to reflect the economy's shift towards services, software, and information-based transactions. This measure adopts the Uniform Commercial Code's amendments, updating the State's law to reflect the current economy.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 352, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 352, 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. 597 (Majority) Commerce and Consumer Protection on S.B. No. 393**

The purpose and intent of this measure is to:

- (1) Until December 31, 2024, extend the period in which a tenant must pay past due rent from five business days to fifteen calendar days from the tenant's receipt of a notice of termination of the rental agreement;
- (2) Require a landlord to engage in mediation and delay filing an action for summary possession if a tenant schedules or attempts to schedule a mediation;
- (3) Require a landlord to include specific information in the fifteen-calendar day notice provided to tenants and certain mediation centers; and
- (4) Appropriate moneys for the administration of a pre-litigation mediation program and an emergency rent relief program.

Your Committee received testimony in support of this measure from the Hawaii State Coalition Against Domestic Violence. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the Legislature enacted Act 57, Session Laws of Hawaii 2021 (Act 57), in response to the tens of thousands of Hawaii residents losing their jobs, leaving them unable to pay their rent during the coronavirus-2019 disease pandemic. Act 57 provided protections for tenants who could not pay rent, including extending the period for a notice of termination of the rental agreement from five days to fifteen calendar days; requiring landlords to engage in mediation and delay filing an action for summary possession if a tenant schedules or attempts to schedule a mediation; requiring landlords to provide specific information in the fifteen-calendar day notice to tenants and certain mediation centers; and others. While the procedures created by Act 57 were successful, Act 57 automatically repealed in 2022. This measure makes permanent certain provisions of Act 57.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 393, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 393, 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 (Awa). Excused, none.

**SCRep. 598 Commerce and Consumer Protection on S.B. No. 612**

The purpose and intent of this measure is to:

- (1) Require that a disclaimer be provided by a seller or provider of an emotional support animal that the animal is not a service animal;
- (2) Require that a disclaimer be provided by a seller or provider of certificates, identifications, tags, vests, leashes, and harnesses for emotional support animals that the item does not entitle an emotional support animal to the rights and privileges accorded to a service animal; and

- (3) Establish penalties for violations of these requirements.

Your Committee received testimony in support of this measure from the Department of Human Services and one individual. Your Committee received comments on this measure from the Hawai'i Civil Rights Commission, American Kennel Club, and two individuals.

Your Committee finds that purchasers of emotional support animals often mistakenly believe that they will be afforded the same rights and privileges as the users of service animals. A service animal is defined in existing law to mean any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. An emotional support animal does not have the same specialized training and thus emotional support animals and their owners are not required to be accommodated in public places like service animals and their human partners. Your Committee finds that to avoid this confusion, the purchase of emotional support animals and items identifying animals as emotional support animals, such as certificates, identifications, tags, and other items, should be accompanied by disclaimers that their emotional support animal is not a service animal. This measure requires sellers or providers of emotional support animals and sellers or providers of certificates, identifications, tags, vest, leashes, and harnesses identifying the animal as an emotional support animal, to provide the purchaser with a disclaimer that an emotional support animal is not a service animal under state law.

Your Committee acknowledges the testimony of the Hawaii Civil Rights Commission and American Kennel Club, who both raised concerns that this measure as currently written, inaccurately states that service animals have certain rights and privileges when it is in fact a person with disabilities who has the right to reasonable accommodation. Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that clarifies that a user of a service animal, rather than the service animal itself, has certain rights and privileges;
- (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 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. 612, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 612, 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. 599 Commerce and Consumer Protection on S.B. No. 667**

The purpose and intent 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 received testimony in support of this measure from Hawai'i Youth Services Network; Hawai'i Alliance of Nonprofit Organizations; The Nature Conservancy; Hawaiian Humane Society; Outrigger Duke Kahanamoku Foundation; Nā Hale o Maui; Big Brothers Big Sisters Hawaii, Inc.; Boys and Girls Club of Hawaii; Catholic Charities Hawai'i; American Heart Association, Inc.; American Cancer Society Cancer Action Network; Hawai'i State Coalition Against Domestic Violence; Family Promise of Hawai'i; Kilinahe Foundation; Ho'ōla Nā Pua; Samaritan Counseling Center Hawaii; Shinshu Kyokai Mission of Hawaii; Ku'ikahi Meditation Center; H.T. Hayashi Foundation; Grow Some Good; After-School All-Stars Hawaii; Pōpoki Place O'ahu Cat Sanctuary; Revitalized Life Ally B LLC; Hawaii Bicycling League; 'A'ali'i Mentoring; Hawai'i Children's Action Network Speaks!; Child and Family Service; and seven individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that both state and federal law exempt nonprofit organizations from income tax. Furthermore, under both state and federal law, nonprofit organizations are taxed on income that is generated by an unrelated business activity not substantially related to the nonprofit organization's tax-exempt purpose. However, federal law and Hawaii law differ in their tax treatment of fundraising income. The federal income tax law does not tax fundraising income, while a nonprofit organization's fundraising income is subject to the State's general excise tax. Because Hawaii's nonprofit sector plays a critical role in the economic and social well-being of the State's residents, this measure is necessary to align the state general excise tax law with the federal income tax law as it relates to fundraising income of nonprofit organizations.

Your Committee notes the testimony of several testifiers who stated their preference for the amendments contained in Senate Bill No. 950 (2023), which is nearly identical to this measure but incorporates a technical amendment that addresses the concerns raised by the former Administration in vetoing Senate Bill No. 3201, S.D.1, H.D.1, C.D.1 (2022).

Therefore, your Committee has amended this measure by:

- (1) Clarifying that, in considering whether an activity is an "unrelated trade or business", the modifications to unrelated business taxable income, as provided in section 512(b)(3) of the Internal Revenue Code of 1986, as amended, shall not apply; 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. 667, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 667, 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. 600 (Majority) Commerce and Consumer Protection on S.B. No. 709**

The purpose and intent of this measure is to establish a nonrefundable individual income tax credit for expenses paid to retrofit a residence with wind resistive devices.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Taxation, Department of Defense, and Tax Foundation of Hawaii.

Your Committee finds that hurricanes pose one of the highest-risk hazards to the State. Many older homes lack protective structural elements that have been proven to reduce the severity of damage from hurricane winds. The best long-term solution for reducing potential damage is the statewide use of wind resistive devices. However, the costs associated with the installation of wind resistive devices can deter homeowners from implementing them. Therefore, this measure establishes an income tax credit to assist qualified homeowners with the installation of approved wind resistive devices for their homes.

Your Committee acknowledges the testimony of the Insurance Division of the Department of Commerce and Consumer Affairs, which raised concerns that the Division's staff lacks the appropriate expertise to pre-certify wind resistive retrofit credit costs. Your Committee also acknowledges the testimony of the Department of Taxation, which requested amendments to the measure that would clarify the program's wind resistive retrofit credit eligibility requirements and the length and number of credits available under the program.

Accordingly, your Committee has amended this measure by:

- (1) Inserting a blank dollar amount for the tax credit;
- (2) Inserting a blank cap for the number of tax credits that may be claimed each year;
- (3) Inserting a provision authorizing the Department of Commerce and Consumer Affairs to adopt rules to determine administration of the program and eligibility requirements;
- (4) Inserting a blank appropriation to the Insurance Division of the Department of Commerce and Consumer Affairs for the establishment, implementation, and administration of the wind resistance retrofit tax credit program;
- (5) Inserting a five-year sunset date;
- (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 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. 709, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 709, 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 (Awa). Excused, none.

**SCRep. 601 (Majority) Health and Human Services on S.B. No. 755**

The purpose and intent of this measure is to:

- (1) Require the State Council on Developmental Disabilities to submit a report focused on the health disparities experienced by individuals with developmental or intellectual disabilities in the State to the Legislature prior to the convening of the Regular Session of 2025; and
- (2) Appropriate \$500,000 for the State Council on Developmental Disabilities to compile and submit the report.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Fetal Alcohol Spectrum Disorders FASD Action Group, Hawaii Disability Rights Center, and four individuals. Your Committee received comments on this measure from the Department of Human Services.

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 length of life; quality of life; rates of disease, disability, and death; severity of disease; and access to treatment. According to the Centers 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 self-care. 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, recommend measures that can be taken to prevent or mitigate the inequity.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the report to include population-level differences in the State between individuals with and without developmental or intellectual disabilities on health indicators and social determinants of health, including:
  - (A) Access to necessary health care;

- (B) Access to preventive health care, including wellness programs and emotional support services;
  - (C) Health behaviors, including the percentage of individuals who engage in physical activities or smoke cigarettes;
  - (D) Health status and outcomes, including the percentage of individuals who are considered obese or diagnosed with chronic diseases, including diabetes, hypertension, and cardiovascular diseases;
  - (E) Emergency preparedness, including evacuation planning and ability; and
  - (F) Health insurance coverage;
- (2) Inserting language that requires the report to include population-level differences in the State between individuals with and without developmental or intellectual disabilities on health indicators and social determinants of health, including:
- (A) Prevalence of intellectual or developmental disabilities based on zip code;
  - (B) Ethnicity breakdown based on zip code; and
  - (C) Whether people with intellectual or developmental disabilities are having worse health outcomes than their typical non-disabled peers;
- (3) Deleting language that would have required the report to include factors contributing to the population-level differences, including economic and social disadvantages and discrimination and a determination of the population-level differences and contributing factors that are preventable or avoidable; and
- (4) 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 755, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 755, 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 (Awa). Excused, none.

**SCRep. 602 Health and Human Services on S.B. No. 845**

The purpose and intent of this measure is to:

- (1) Make comprehensive updates to existing law governing acupuncture practitioners to reflect modernized scopes of practice and titles;
- (2) Beginning with the renewal for the licensing biennium commencing July 1, 2025, require licensees to obtain thirty hours of continuing education per licensing biennium; and
- (3) Allow the Board of Acupuncture to issue licenses by reciprocity.

Your Committee received testimony in support of this measure from the Board of Acupuncture; Institute of Clinical Acupuncture and Oriental Medicine; AcuPlan Hawaii; Hawaii Acupuncture Medicine Association; East 2 West Integrative Medicine, LLC; Kailua Acupuncture Clinic; Windward Wellness; American Acupuncture Council; Rubin Enterprises, LLC; OceanMed Clinic; Longevity Health Center; and twenty-three individuals. Your Committee received testimony in opposition to this measure from the American Academy of Medical Acupuncture; Lifestyle Medical Center; Institute of Clinical Acupuncture and Oriental Medicine; and ten individuals. Your Committee received comments on this measure from the Hawaii Medical Association and three individuals.

Your Committee finds that acupuncture is one of the fastest growing fields in American health care due to expanded health insurance benefits and acupuncture's ability to offer patients an alternative to prescription opioids. Despite the field's growth, existing law concerning acupuncture practitioners has remained the same for the past twenty years. To reflect the development of acupuncture practice, this measure updates state laws regulating acupuncture practitioners to reflect changes to national certification standards, accredited educational programs, scope of practice, and titles.

Your Committee notes the Board of Acupuncture's testimony requesting that this measure not take effect for at least two years to allow the Board to adopt rules for its implementation. Should your Committees on Commerce and Consumer Protection and Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers the Board of Acupuncture's request.

Your Committee has amended this measure by:

- (1) Removing language that would have authorized the Board of Acupuncture to issue licenses by reciprocity;
- (2) Authorizing the Board of Acupuncture to establish an alternative pathway for physician licensure in acupuncture in alignment with existing Centers for Medicare and Medicaid Services guidelines;
- (3) Clarifying that references to "doctor" refer to a licensed doctor of acupuncture (D.Ac.);
- (4) Inserting an appropriation of an unspecified amount for the Department of Commerce and Consumer Affairs' Professional and Vocational Licensing Division to update its internal database;
- (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 record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 845, as amended herein, and recommends that it pass Second



Reading in the form attached hereto as S.B. No. 845, 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. 603 Energy, Economic Development, and Tourism on S.B. No. 1287**

The purpose and intent of this measure is to appropriate general funds to the Department of Business, Economic Development, and Tourism for expenses related to the building renovations of its offices on the fifth floor of the No. 1 Capitol District Building, located at 250 South Hotel Street, Honolulu, Hawaii.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Green Infrastructure Authority.

Your Committee finds that in 2022, the Legislature appropriated funds to the Department of Business, Economic Development, and Tourism for its building renovations in the amount of \$660,000. However, the Governor line-item vetoed that amount among other items to comply with the federally mandated Elementary and Secondary School Emergency Relief Funds Maintenance of Effort requirement. Your Committee further finds that due to health and safety concerns and deteriorating conditions, the entire fifth floor of the No. 1 Capitol District Building needs to be completely renovated. The Department of Business, Economic Development, and Tourism currently occupies the fifth floor of the building and will therefore be required to pay for expenses related to the building renovations. This measure will allow the Department of Business, Economic Development, and Tourism to complete necessary building renovations by appropriating funds for expenses related to the building renovations of its offices on the fifth floor of the No. 1 Capitol District Building.

Your Committee has amended this measure by:

- (1) Deleting the appropriation of \$660,000 and inserting a blank amount;
- (2) Inserting an effective date of January 6, 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 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. 1287, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1287, 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. 604 (Joint/Majority) Government Operations and Labor and Technology on S.B. No. 20**

The purpose and intent of this measure is to require the Department of Accounting and General Services to establish and operate a Child Care Center Pilot Program on Oahu for eligible children of State Employees, one in or near the State Capitol and one in Kapolei for five years.

Your Committees received testimony in support of this measure from the Department of Human Services; Executive Office on Early Learning; Early Learning Board; United Public Workers, AFSCME Local 646, AFL-CIO; and Hawai'i Children's Action Network Speaks!. Your Committees received comments on this measure from one individual.

Your Committees find that there is a shortage of child care facilities in the State. Providing child care to state employees on state property would be of benefit to working parents.

Your Committees have heard the testimony of Hawai'i Children's Action Network Speaks! recommending that a competitive and equitable rate of compensation for the child care workers be considered. Accordingly, your Committees request that when the Department of Accounting and General Services issues a request for proposals that a living wage component for the child care workers be included. Subsequently, your Committees request that the Department of Accounting and General Services also look at indemnification by the State of the contract awardee.

Your Committees have 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 records of votes of the members of your Committees on Government Operations and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 20, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 20, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.  
Government Operations: Ayes, 2. Noes, 1 (Awa). Excused, 2 (San Buenaventura, Wakai).  
Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Lee).

**SCRep. 605 Government Operations on S.B. No. 509**

The purpose and intent of this measure is to require each executive branch department to:

- (1) Identify existing and planned facilities that are vulnerable to sea level rise, flooding impacts, and natural hazards;

- (2) Assess options for mitigation impacts of sea level rise to existing and planned facilities;
- (3) Establish staff level points of contact to improve interagency coordination for sea level rise adaptation, flooding, and resilience; and
- (4) Submit annual reports to the Governor, Legislature, and Hawaii Climate Change Mitigation and Adaptation Commission.

Your Committee received testimony in support of this measure from the Department of Education, Office of Planning and Sustainable Development, Department of Transportation, University of Hawai'i Sea Grant College Program, and Climate Resilience Collaborative. Your Committee received comments on this measure from the Hawai'i Emergency Management Agency and Department of Land and Natural Resources.

Your Committee finds that sea level rise poses an imminent and unprecedented threat. The University of Hawai'i Sea Grant College Program and Climate Resilience Collaborative provided testimony indicative of a fifteen to thirty percent higher sea level rise for Hawaii in comparison to the global average. It is estimated that by the year 2050, Hawaii will experience close to one foot of sea level rise. The impending vulnerability of coastal communities is punctuated by the projected impact sea level rise will have on the exponential increase of tidal flooding by 2030.

Further, your Committee finds that there is value in a concerted collaborative effort to identify and plan for mitigation efforts for existing and planned facilities that are vulnerable to sea level rise, flooding impacts, and natural hazards.

Your Committee has amended this measure by:

- (1) Specifying that locations where conservation of beaches and coastal environments is desired are to be defined by the heads of each department;
- (2) Inserting language to require each department to ensure its commitment to protecting the public trust while balancing the public interests of health, safety, and welfare of residents;
- (3) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee has received the testimony of the Department of Education and Department of Land and Natural Resources expressing concerns that this measure is duplicative of Act 178, Session Laws of Hawaii 2021 (Act 178). Your Committee appreciates their due diligence and notes that the Department of Transportation and the University of Hawai'i Sea Grant College Program and Climate Resilience Collaborative distinguish that this measure provides additional provisions that are not included in Act 178.

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. 509, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 509, 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 (Wakai).

#### **SCRep. 606      Agriculture and Environment on S.B. No. 792**

The purpose and intent of this measure is to establish and appropriate funds for 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.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farmers Union United, Kuwale Ridge Farms, Ulupono Initiative, Hawai'i Farm Bureau, and one individual. Your Committee received testimony in opposition to this measure from Animal Rights Hawai'i.

Your Committee finds that the impacts of the coronavirus 2019 disease pandemic have uncovered the need to strengthen local food systems and reduce dependence on imported foods to ensure that a reliable stream of affordable and nutritious foods are readily available for all residents. Your Committee additionally finds that the Hawaiian islands face significant challenges when it comes to the transportation of goods, particularly for small and medium-sized farms and food producers in the State. Financial assistance can help increase the profitability and competitiveness of local farmers and ranchers, which is essential to the State's food security and sustainability goals. Thus, this measure establishes a reimbursement program to be administered by the Department of Agriculture to provide local food producers with financial assistance to cover the costs of food transportation in the State.

Your Committee has amended this measure by:

- (1) Deleting a reference to the neighbor islands and replacing it with the State with respect to eligible producers;
- (2) Deleting proposed language requiring proof that the producer has annual gross receipts totaling \$50,000 or more;
- (3) Inserting language for reimbursements to cover farmer transportation costs based on tiered total of annual gross income; 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. 792, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 792, 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. 607 Agriculture and Environment on S.B. No. 1458**

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 a date to be determined by rule; and
- (5) Appropriate funds for administration of the program and one position.

Your Committee received testimony in support of this measure from the Department of Environmental Management of the County of Hawai'i; one member of the Hawai'i County Council; Atlantic Packaging Corporation; Huli Pac; Chamber of Sustainable Commerce; 350 Hawaii; Our Revolution Hawaii; Association of Home Appliance Manufacturers; Recycle Hawaii; Clean the Pacific; and eighteen individuals. Your Committee received testimony in opposition to this measure from the Consumer Brands Association; Wine Institute; Ameripen; American Cleaning Institute; American Beverage; Product Stewardship Institute; Retail Merchants of Hawaii; Hawai'i Restaurant Association; Island Plastic Bags, Inc.; Hawaii Food Manufacturers Association; and two individuals. Your Committee received comments on this measure from the Department of Health; Department of Budget and Finance; Hawai'i Reef and Ocean Coalition; Upstream; and Abbot labs.

Your Committee finds the accumulation of solid waste in Hawaii to be unsustainable and a growing cause for concern. Consumers and governments have long been burdened by the problems attributed to solid waste, while producers often evade blame and deny responsibility. Extended producer responsibility is a policy approach in which a producer's responsibility for a product is extended to the post-consumer stage of a product's life cycle. Your Committee finds that an Extended Producer Responsibility Program in the State can help to reduce solid waste in Hawaii by requiring certain producers to register with the Department of Health and pay an annual fee based on the amount of packaging volume the producer places on the market each calendar year. Therefore, this measure establishes an Extended Producer Responsibility Program and implements rules to aid in the curbing of solid waste accumulation in 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 Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1458, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1458, S.D. 1, and be referred to your Committees on Ways and Means and Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.

**SCRep. 608 Government Operations on S.B. No. 576**

The purpose and intent of this measure is to require reports of out-of-state and intra-state travel by state employees, officers, or other representatives to be made available for public review on the Comptroller's website.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services.

Your Committee finds that out-of-state and intra-state travel information by state employees, officers, or other representatives is fragmented making it difficult and time consuming to acquire. There is no accessible, searchable database to find out how often state officials use taxpayer-funded travel and how much it costs. To ensure transparency, all out-of-state and intra-state taxpayer-funded trips by state officials and staff should be disclosed on an easily accessible website after they are completed.

Additionally, your Committee notes that the Department of Accounting and General Services has suggested a collaboration with the Department of Enterprise Technology Services to utilize the Open Data Portal as a platform for the requirement of this measure.

Your Committee has amended this measure by inserting an effective date of July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 576, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 576, S.D. 2, 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 (San Buenaventura, Wakai).

**SCRep. 609 Government Operations on S.B. No. 1121**

The purpose and intent of this measure is to require the Legislative Reference Bureau to conduct a study to determine an appropriate increase to the homestead exemption in bankruptcy proceedings.

Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that statutory homestead exemptions protect a certain amount of value in a debtor's home from attachment and execution, including in bankruptcy proceedings. Under existing law, the homestead exemption amounts have not been adjusted for

over forty-five years. This measure would provide policymakers with the information necessary to make an informed decision on whether the homestead exemption should be increased and, if so, the appropriate amount of the increase.

Although your Committee was presented with various scenarios by the Legislative Reference Bureau to consider regarding adjustments to the homesteader exemption amount, your Committee is confident that it is best to conduct a study. Your Committee was made aware that there was a drafting defect in this measure. When the measure was initially created, it was intended that the Real Property and Financial Services Section of Hawaii State Bar Association would conduct the study.

Accordingly, your Committee has amended this measure by:

- (1) Requiring that Real Property and Financial Services Section of the Hawaii State Bar Association conduct the homestead exemption study instead of the Legislative Reference Bureau; and
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion.

Your Committee requests that your Committee on Ways and Means, should they choose to review this measure, consider allocating funds for the study to be conducted.

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. 1121, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1121, 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 (San Buenaventura, Wakai).

**SCRep. 610 Government Operations on S.B. No. 1441**

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 opposition to this measure from the General Contractors Association of Hawaii. Your Committee received comments on this measure from the Department of Accounting and General Services, State Procurement Office, and Department of Transportation.

Your Committee finds that unsatisfied, or aggrieved, vendors routinely challenge officials' procurement decisions through bid protests. A bid protest is a challenge to the terms or award of a public contract. Many public procurement systems have established procedures for allowing vendors to challenge a solicitation. To be considered timely, the protest must be submitted in writing within the prescribed time to allow for efficient resolution.

Your Committee has heard the testimony expressing concerns that this bill may not be necessary as there are provisions in existing law for bidder protest, and that the language in this measure may pose a disadvantage to the bidders as it may further limit the time provided to protest the solicitation. However, your Committee feels that an imposed time limit could help to expedite project completion by limiting the protest time to a defined period.

Your Committee has amended this measure by:

- (1) Clarifying language to reflect the fact that there are only two opportunities to protest; and
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1441, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1441, 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 (San Buenaventura, Wakai).

**SCRep. 611 Energy, Economic Development, and Tourism on S.B. No. 629**

The purpose and intent of this measure is to require contracts entered into by the Hawaii Tourism Authority for management of the Hawaii Convention Center to include marketing for all uses of the facility.

Your Committee received testimony in opposition to this measure from the Hawai'i Hotel Alliance. Your Committee received comments on this measure from the Hawai'i Tourism Authority.

Your Committee finds that the Hawaii Convention Center provides a venue for the State to host large meetings, conventions, and incentives that draw large numbers of visitors to the State. Your Committee believes that the procurement process for the marketing services of the Hawaii Convention Center should be updated to ensure a competitive bidding process that will effectively market the Convention Center as a premier location for meetings and conventions. This measure will ensure the State receives the best value from proposals for the marketing of the Hawaii Convention Center by requiring contracts entered into by the Hawaii Tourism Authority for management of the Hawaii Convention Center to include marketing for all uses of the facility.

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. 629 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 (Fukunaga). Noes, none. Excused, none.

**SCRep. 612 Commerce and Consumer Protection on S.B. No. 921**

The purpose and intent of this measure is to clarify that no statute of repose shall affect a condominium association's right of action against a condominium developer sooner than two years after the period of developer control terminates.

Your Committee received testimony in support of this measure from the Hawaii Council of Associations of Apartment Owners, Palehua Hale AOA, Community Associations Institute, and six individuals.

Your Committee finds that under existing law, the statute of limitations affecting a condominium association's right of action against a developer is tolled until the period of developer control terminates. However, existing law does not expressly state that tolling applies to the statute of repose that also limits a condominium association's right of action against a developer. A developer should not be allowed to avoid responsibility for design or construction defects by maintaining control of an association until the statute of repose expires, for the same reasons that it would be unfair and inequitable to allow the statute of limitations to expire during a period of developer control. Accordingly, this measure clarifies that the tolling provision in section 514B-141, Hawaii Revised Statutes, applies to the statute of repose.

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. 921 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. 613 Commerce and Consumer Protection on S.B. No. 884**

The purpose and intent of this measure is to, for taxable years 2023-2029, exclude from taxation one hundred per cent of the gain realized by a fee simple owner from the sale of a leased fee interest in units within a condominium project, cooperative project, or planned unit development to the association of apartment owners or the residential cooperative housing corporation of the leasehold units.

Your Committee received testimony in support of this measure from Hawaii Council of Associations of Apartment Owners and five individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that, in 2007, the legislature enacted Act 166, Session Laws of Hawaii 2007 (Act 166), which provides an income tax exemption of one hundred percent of capital gains realized by a fee simple owner during taxable years 2008-2012 from the sale of a leased fee interest in units within a condominium project, cooperative project, or planned unit development to the association of apartment owners or residential cooperative corporations of the leasehold units. The purpose of Act 166 was to encourage landowners to sell condominium lessees the fee interest in their units, and thereby promote the long-term stability in Hawaii's condominium housing market. However, Act 166 repealed on December 31, 2012. Your Committee finds that many condominium units are still held in leasehold. Accordingly, this measure reestablishes an income tax exemption of one hundred percent of capital gains realized from sales of leased fee interest in certain residential units.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 884, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 884, 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. 614 (Majority) Commerce and Consumer Protection on S.B. No. 935**

The purpose and intent of this measure is to:

- (1) Prohibit advertisements for Nevada hotels, resorts, or other recreational services that promote casinos or gambling devices licensed by the Nevada Gaming Commission from being broadcast, televised, marketed in printed publications or displays, distributed online, or otherwise communicated by electronic means within the State; and
- (2) Impose a general excise tax on persons engaged in the arrangement, provision, or sale within the State of vacation packages or other recreational services that promote gambling or gambling devices that is not prohibited by state law of thirty per cent of gross income due to that activity.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from Vacations Hawaii and two individuals. Your Committee received comments on this measure from the Department of Taxation, Department of the Attorney General, and Tax Foundation of Hawaii.

Your Committee finds that there are an estimated twenty-four thousand people in the State who struggle with compulsive gambling. According to the Las Vegas Convention and Visitors authority, approximately three hundred thousand passengers fly from Hawaii to Las Vegas each year. Despite the alarming number of people with gambling addictions, there is a lack of help in the State for people affected by gambling addiction. Therefore, this measure seeks to address these issues.

Your Committee acknowledges the testimony of the Department of the Attorney General, which notes that this measure's prohibition on advertisements for Nevada hotels, resorts, or other recreational services that promote casinos could be an unconstitutional restriction of commercial speech. Your Committee also notes that while this measure is designed to address gambling

addiction, it does not direct funds for gambling addiction treatment programs. Therefore, this measure requires amendments to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting section 2 of this measure which would have prohibited advertisements for Nevada hotels, resorts, or other recreational services that promote casinos or gambling devices licensed by the Nevada Gaming Commission from being broadcast, televised, marketed in printed publications or displays, distributed online, or otherwise communicated by electronic means within the State;
- (2) Establishing a Gambling Addiction Special Fund within the Department of Human Services for the treatment of gambling addiction for Hawaii residents;
- (3) Inserting a provision directing the funds collected from the general excise tax established by this measure to the Gambling Addiction Special Fund;
- (4) Blanking out the percentage of the tax to be levied and assessed by this measure;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion;
- (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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 935, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 935, 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 (Awa). Excused, none.

**SCRep. 615 (Majority) Commerce and Consumer Protection on S.B. No. 945**

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 testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Technology Development Corporation, and two individuals. Your Committee received comments on this measure from The Grassroot Institute of Hawaii, Inc.

Your Committee finds that digital currency, such as cryptocurrency, e-money, network money, or e-cash, is an asset that is primarily managed or stored electronically. Digital currency may be recorded on a decentralized ledger on the Internet or a centralized database or ledger system owned by a company. Although digital currency has grown in popularity and acceptance worldwide, there is little regulation of the digital currency industry in the United States. The Division of Financial Institutions of the Department of Commerce and Consumer Affairs and the Hawaii Technology Development Corporation are currently conducting a two-year "sandbox" program to study digital currency transactions. The program has confirmed that a new regulatory framework for digital currency transactions is appropriate. This measure establishes a program for the licensure, regulation, and oversight of digital currency companies.

Your Committee acknowledges the testimony of the Department of Commerce and Consumer Affairs' Commissioner of Financial Institutions, who recommended various amendments to clarify and improve the measure and requested that the appropriation already in the measure be made for establishing and hiring three full-time equivalent (3.0 FTE) permanent examiners to carry out the purposes of the digital currency license program established by the measure. Your Committee also acknowledges the testimony of The Grassroot Institute of Hawaii, Inc., which raised concerns that the measure, as written, could conflict with future federal legislation acknowledging a digital currency as legal tender. Accordingly, amendments are necessary to address these concerns.

Therefore, your Committee has amended this measure by:

- (1) Inserting definitions of "control" and "custodial services" to the digital currency license program established by the measure;
- (2) Inserting a provision exempting a non-custodial digital currency business activity by a person using a digital currency acknowledged as legal tender by the United States, or a government recognized by the United States, or that has been determined to not be a security by a United States regulatory agency;
- (3) Deleting the requirement that a licensee retain a hard copy of its advertising;
- (4) Replacing the appropriation made to implement the licensing program established by the measure with an appropriation made to establish and hire three full-time equivalent (3.0 FTE) permanent examiners to carry out the purposes of the digital currency licensing program;
- (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 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. 945, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 945, 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 (Awa). Excused, none.

**SCRep. 616 (Majority) Commerce and Consumer Protection on S.B. No. 974**

The purpose and intent of this measure is to:

- (1) Establish a framework to regulate controllers and processors with access to personal consumer data;
- (2) Establish penalties for violations of the regulations;
- (3) Establish a new consumer privacy special fund; and
- (4) Appropriate moneys to fund the special fund.

Your Committee received testimony in support of this measure from the Department of the Attorney General and three individuals. Your Committee received testimony in opposition to this measure from State Farm Mutual Automobile Insurance Company, Hawaiian Electric, Retail Merchants of Hawaii, and National Association of Mutual Insurance Companies. Your Committee received comments on this measure from the Department of Budget and Finance; TechNet; American Property Casualty Insurance Association; Mayer Brown, LLP; Hawaii Financial Services Association; Hawaii Insurers Council; State Privacy & Security Coalition; and California Privacy Protection Agency.

Your Committee finds that online commerce sites, social media, and mobile devices and apps are becoming an integral part of consumers' lives. However, these applications and devices have the capability to collect and share personal information to an extent not possible previously, and sometimes in ways that are not apparent to consumers. Concerns about privacy are heightened with frequent breaches, cyberattacks, and unauthorized online sharing of personal information. Regulation is needed to provide consumers with some control over their personal information. This measure therefore establishes a framework regulating controllers and processors with access to personal consumer data.

Your Committee acknowledges the concerns of multiple testifiers who note the substantial administrative burdens the measure places on certain businesses with regard to the storage and deletion of a consumer's personal data and the requirement to provide consumers with copies of their personal data. Your Committee also notes the testimony of the Department of the Attorney General, which proposed certain housekeeping amendments.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the calendar year timespan for determining whether a business is subject to the regulation imposed by this measure applies to both thresholds for applicability;
- (2) Deleting language that would have granted the Department of the Attorney General investigatory powers to prosecute violations of the regulations established by this measure and replacing it with a reference to investigatory powers already granted to the Department of the Attorney General under existing law;
- (3) Deleting language that would have required a controller to comply with a consumer's request to delete personal data that the controller did not obtain directly from the consumer;
- (4) Deleting language that would have required a controller to comply with a consumer's request to obtain a copy of the consumer's personal data processed by the controller and replacing it with language that requires a controller to comply with a consumer's request to obtain a copy of the consumer's personal data that the consumer previously provided to the controller;
- (5) Inserting a provision allowing companies that collect consumer data from third parties to either retain a limited amount of data to ensure ongoing deletion of a consumer's data or treat deletion requests as if they were opt-out requests;
- (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 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. 974, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 974, 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 (Awa). Excused, none.

**SCRep. 617 (Majority) Commerce and Consumer Protection on S.B. No. 1027**

The purpose and intent of this measure is to:

- (1) Establish the Combat Sports Commission of Hawaii;
- (2) Provide for the regulation of combat sports;
- (3) Prohibit no rules combat or similar contests; and
- (4) Appropriate funds for an unspecified number of full-time equivalent positions within the Department of Commerce and Consumer Affairs for the Combat Sports Commission of Hawaii.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that that Hawaii has embraced full-contact combat sports that allow the use of striking and grappling techniques; involve both standing and on-the-ground techniques; and blend boxing, wrestling, Brazilian jiu-jitsu, Muay Thai, kickboxing, karate, judo, and other styles. Combat sports events have drawn capacity crowds to the Blaisdell Center Arena. Hawaii

has produced multiple mixed martial arts world title fighters, both male and female, across the major certified promoting and sanctioning bodies. Some of the most accomplished and well-known fighters from Hawaii include B.J. Penn, Max Holloway, Ray Cooper III, Travis Browne, Ilima-Lei Macfarlane, Angela Lee, and others. Despite the success of Hawaii mixed martial artists, the prestigious Ultimate Fighting Championship organization has never staged a show in Hawaii. To continue growing the combat sports industry in the State and to attract events staged by the Ultimate Fighting Championship, and other prestigious organizations, a combat sports commission should be established.

Accordingly, this measure establishes the Combat Sports Commission of Hawaii.

Your Committee notes the concerns of the Department of Commerce and Consumer Affairs, which testified that if this measure were to be enacted into law, the Department would need at least two years to establish, recruit, and hire employees necessary to facilitate the Combat Sports Commission of Hawaii.

Your Committee has amended this measure by:

- (1) Clarifying that the members of the Combat Sports Commission of Hawaii shall have staggered terms;
- (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. 1027, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1027, 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 (Awa). Excused, none.

**SCRep. 618 Commerce and Consumer Protection on S.B. No. 1130**

The purpose and intent of this measure is to:

- (1) Make a principal of an activity desk liable for any financial deficiency when the activity desk's client trust account is insufficient to pay consumers or activity providers; and
- (2) Clarify that an activity desk, along with its principal and all persons with an ownership interest in the activity desk, shall be held liable for statutory violations and subsequent damages.

Your Committee received testimony in support of this measure from Activities & Attractions Association of Hawaii, Inc.; Hawai'i Lodging & Tourism Association; Maui Hotel & Lodging Association; Maui Chamber of Commerce; Quicksilver Charters, LLC; Captain Steve's Rafting Adventures; Haleakala Bike Company, Inc.; Lahaina Cruise Company, Inc.; Ocean Tourism Coalition; Extended Horizons, Inc.; and two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that an activity desk is a person or organization that, in part, helps customers book activities such as specialized air, land, or sea tour excursions with tour operators. As part of their service, the activity desk receives money from the customer and holds the funds in a trust account on behalf of the tour operator before paying the tour operator for providing the excursion. However, in the past few years, there have been numerous incidences where an activity desk has stolen funds from a client trust account. Recouping these losses through the court system is difficult and costly for activity providers. This measure will help ensure that activity desks operate in a responsible and transparent manner, with clear lines of accountability and protection for consumers and activity providers.

Your Committee has amended this measure by:

- (1) Inserting a definition of the term "ownership interest";
- (2) Clarifying that both a principal and all persons with an ownership interest in the activity desk shall be liable for any financial deficiency when the activity desk's client trust account is insufficient to pay consumers or activity partners;
- (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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1130, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1130, 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. 619 Commerce and Consumer Protection on S.B. No. 1379**

The purpose and intent of this measure is to clarify the penalty to be assessed on any person who intentionally operates a care facility without a certificate or license by repealing section 321-486.3, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Health and one individual.

Your Committee finds that operating a care home without a certificate or license constitutes a violation of chapter 321, Hawaii Revised Statutes. Section 321-20, Hawaii Revised Statutes, authorizes the assessment of an administrative penalty of up to \$1,000 per day against any person in violation of any provision in chapter 321, Hawaii Revised Statutes. However, section 321-486.3, Hawaii



Revised Statutes, authorizes the assessment of an administrative penalty against any person operating a care facility without a certificate or license, in the amount of \$100 for each day of uncertified or unlicensed operation for the first violation, \$500 for each day for the second violation, and \$1,000 for each day for the third violation. Your Committee finds this dual penalty system unnecessary and confusing. Accordingly, this measure repeals section 321-486.3, Hawaii Revised Statutes, which penalizes any person operating a care facility without a certificate or license to eliminate confusion that the penalty provisions of section 321-20, Hawaii Revised Statutes, shall apply to these violations.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1379, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1379, 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. 620 (Joint/Majority) Health and Human Services and Judiciary on S.B. No. 1492**

The purpose and intent of this measure is to:

- (1) Require the Department of Health to respond to reports about persons having severe mental illness and in need of assistance and to assess whether those persons may fulfill the criteria for assisted community treatment;
- (2) Require the Department of Health to track and publicly report certain data relating to crisis reports, emergency mental health transports, and court-ordered treatments;
- (3) Require the court, when dismissing an involuntary hospitalization petition for a person, to assess whether the person meets the criteria for assisted community treatment and authorizing the court to order the person to obtain assisted community treatment, which may include medication;
- (4) Require the Department of the Attorney General to assist in the preparation and filing of certain assisted community treatment petitions and related court proceedings; and
- (5) Appropriate moneys to the Department of Health for software and data collection and publication.

Your Committees received testimony in support of this measure from the Office of the Governor, Department of Health, Hawaii Substance Abuse Coalition, and five individuals. Your Committees received testimony in opposition to this measure from the Judiciary. Your Committees received comments on this measure from the Department of the Attorney General and Hawaii Disability Rights Center.

Your Committees find that the State has several key tools and programs to assist individuals with untreated severe mental illness. These include court-ordered plans of treatment, known in Hawaii as “assisted community treatment” or “ACT” orders, involuntary commitments to the state hospital or similar facility, court-ordered medication, and Department of Health crises programs, among others. This measure will complement programs already in place by granting providers and the judicial system more tools to ensure that individuals struggling with mental health issues receive appropriate treatment. Your Committees note the concerns raised in testimony that section 3 of this measure violates the due process clause and that courts are not independently capable of conducting clinical assessments. Accordingly, amendments to this measure are necessary to address these concerns.

Your Committees have amended this measure by:

- (1) Deleting language that would have required the court to assess whether the person meets the criteria for assisted community treatment and authorized the court to order the person to obtain assisted community treatment, including medication before dismissing an involuntary hospitalization petition for a person;
- (2) Inserting language to establish that a court’s denial of a petition for involuntary commitment shall serve as notification to the Department of Health that the person should be evaluated for assisted community treatment;
- (3) Incorporating changes proposed by the Department of the Attorney General to clarify the Department shall assist with the preparation and filing of certain petitions after July 1, 2023;
- (4) Amending section 1 to reflect its amended purpose;
- (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 Health and Human Services and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1492, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1492, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.  
Health and Human Services: Ayes, 4. Noes, 1 (Awa). Excused, none.  
Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 621 (Majority) Health and Human Services on S.B. No. 1418**

The purpose and intent of this measure is to:

- (1) Beginning July 1, 2025, prohibit with certain exceptions, the emission of excessive amplified noise during certain hours on public sidewalks near certain locations in areas zoned as mixed-use or residential without obtaining prior written approval from the Director of Health;
- (2) Establish penalties for violations;
- (3) Establish a two-year Waikiki Excessive Amplified Noise Control Pilot Program that requires the Department of Health to implement the excessive amplified noise control regulation in the Waikiki Special District and submit reports to the Legislature;
- (4) Require the Department of Health to adopt rules; and
- (5) Appropriate an unspecified amount of funds to establish, implement, and enforce the Waikiki Excessive Amplified Noise Control Pilot Program.

Your Committee received testimony in support of this measure from the Citizens Against Noise and six individuals. Your Committee received testimony in opposition to this measure from Unite Here Local 5. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that all citizens have a right to a healthful and peaceful environment. Your Committee further finds that quiet is an increasingly rare commodity and is constantly under siege from a wide range of sources. This measure would promote the health and well-being of members of the public by regulating excessive noise in areas zoned as mixed-use or residential.

Your Committee acknowledges testimony by the Department of Health recommending that treating excessive noise as an offense of disorderly conduct would better achieve the purposes of this measure. Accordingly, amendments to the measure are necessary to address this recommendation.

Your Committee notes that although this measure contains an appropriation for an unspecified amount, should your Committees on Judiciary and Ways and Means choose to deliberate on this measure, your Committee respectfully requests they consider appropriating \$40,000 for the purchase of decibel meters.

Accordingly, your Committee has amended this measure by:

- (1) Deleting parts I and II of the measure which would have established provisions and penalties related to excessive amplified noise and the two-year Waikiki Excessive Amplified Noise Control Pilot Program;
- (2) Inserting language establishing that a person's conduct that produces, or causes to be produced, noise exceeding eighty dBA as measured with a calibrated sound level meter by a certified individual, at thirty feet from the source of the offending sound during the hours between 7:00p.m. and 7:00a.m. in any area zoned as residential or mixed-use residential, as unreasonable noise that constitutes the offense of disorderly conduct;
- (3) Inserting a blank appropriation amount for the Department of Health to enforce this measure, including funding for:
  - (A) The establishment of one full-time equivalent (1.0 FTE) position within the Department of Health to provide training in the proper use of decibel meters to law enforcement officers in all counties upon request; and
  - (B) The purchase of decibel meters to be supplied to the counties to assist in their enforcement of the decibel limits;
- (4) Amending section 1 to reflect its amended purpose;
- (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 record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1418, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1418, 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, 1 (Awa). Excused, none.

**SCRep. 622 Health and Human Services on S.B. No. 1615**

The purpose and intent of this measure is to require the Developmental Disabilities Division of the Department of Health to amend its eligibility criteria for the Medicaid Intellectual and Developmental Disabilities Home and Community-Based Services Waiver (HCBS I/DD waiver) to include individuals having an intellectual or a developmental disability and a comorbid mental illness.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Keiki Education Living Independent Institute dba K.E.L.I.I. Foundation, Hawaii Disability Rights Center, and five individuals. Your Committee received comments on this measure from the Department of Health and Department of Human Services.

Your Committee finds that existing eligibility criteria for the HCBS I/DD waiver unfairly excludes a number of individuals who would otherwise be eligible for services based on their developmental disabilities. This measure will allow individuals who have an intellectual or a developmental disability and a comorbid mental illness to be eligible for the HCBS I/DD waiver.

Your Committee acknowledges testimony that administration of the State's health care services made available to individuals in need, including Medicaid, is fragmented between two separate agencies simultaneously providing services for the same or similar types of individuals. This causes extreme difficulty for people trying to navigate the systems, even more so by individuals with multiple complex needs. Therefore, your Committee strongly urges the Department of Human Services and the Department of Health to work in collaboration to establish a system that would enable the public, especially individuals with a disability, to better navigate through the various services that are available to them.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount for the Department of Health to carry out this measure, including funding for establishing an unspecified number of full-time equivalent positions; 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1615, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1615, 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. 623      Judiciary on S.B. No. 669**

The purpose and intent of this measure is to:

- (1) Establish regulations for the cultivation, sale, and personal use of small amounts of cannabis;
- (2) Decriminalize and regulate small amounts of cannabis for personal use; and
- (3) Establish taxes for cannabis sales.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Hawaii High Intensity Drug Trafficking Area, Imua Alliance, Big Island Grown Dispensaries, Marijuana Policy Project, Democratic Party of Hawai'i Education Caucus, Noa Botanicals, Green Aloha, Drug Policy Forum of Hawai'i, Hawai'i Cannabis Industry Association, Aloha Green Holdings Inc., eighteen individuals, and an email petition signed by four hundred seventy-four 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, Maui Police Department, Cannabis Society of Hawai'i, Malie Cannabis Clinic, Oahu Cannabis Farms Alliance, Hawaii Substance Abuse Coalition, Roman Catholic Church in the State of Hawaii Diocese of Honolulu, Kauai Farm Planning, Coalition for a Drug-Free Hawaii, Hawaii Family Forum, and fifty individuals. Your Committee received comments on this measure from the Department of Transportation, Department of Taxation, Department of Health, Department of Commerce and Consumer Affairs, Last Prisoner Project, Reason Foundation, Maine Craft Cannabis Association, Mothers Against Drunk Driving Hawaii, Tax Foundation of Hawaii, and six individuals.

Your Committee finds that thirty states and the District of Columbia have decriminalized cannabis in small amounts. Your Committee further finds that legalization in these states has avoided the criminalization of thousands of people, reduced opioid overdose deaths and untreated opioid use disorders, and lowered the number of arrests for driving under the influence of alcohol and other drugs. Your Committee additionally finds that recent polling indicates broad public support in Hawaii for the legalization of marijuana. This measure legalizes cannabis for personal and recreational use.

Your Committee has amended this measure by:

- (1) Incorporating the changes proposed by the Department of the Attorney General by:
  - (A) Specifying that the personal use of cannabis by vaping or smoking shall be regulated in accordance with the State's smoking laws under chapter 328J, Hawaii Revised Statutes;
  - (B) Clarifying that during the pilot period, the necessary forms, procedures, and requirements shall be exempt from chapter 91, Hawaii Revised Statutes;
  - (C) Deleting language that would have directed that the rules adopted by the Hawaii Cannabis Regulatory Authority not require a high investment of risk, money, time, or any other resource or asset that the operation of a cannabis establishment is not worthy of being carried out in practice by a reasonably prudent business person;
  - (D) Adding language authorizing the Hawaii Cannabis Regulatory Authority to make specific penalties such as fines or suspension or revocation of a license;
  - (E) Adding language requiring the Hawaii Cannabis Regulatory Authority to track the cultivation, processing, and sale of cannabis and cannabis products;
  - (F) Restoring language in section 329-14, Hawaii Revised Statutes, that designates marijuana as a schedule I drug in the State Controlled Substances Act;
  - (G) Clarifying that with regards to inspections the Hawaii Cannabis Regulatory Authority shall have the authority of a duly accredited tax official of the State pursuant to section 231-18, Hawaii Revised Statutes, to inspect tax returns of any taxpayer; provided that this authority shall not extend to the inspection of any documents not directly related to the cannabis tax law;

- (H) Deleting language that would have allowed returns, return information, or reports to be made known to the Hawaii Cannabis Regulatory Authority by the Department of Taxation, if not in conflict with section 231-18, Hawaii Revised Statutes; and
- (I) Clarifying language to authorize the Director of Taxation, or its representative, to conduct any civil audit or criminal investigation, investigation, or hearing relating to cannabis taxes in the manner provided in section 231-7, Hawaii Revised Statutes;
- (2) Specifying that personal use of cannabis shall also be prohibited on any location where smoking is prohibited;
- (3) Adding language that allows condominiums to restrict or prohibit the smoking of cannabis in the same manner they may restrict or prohibit the smoking of tobacco on the property;
- (4) Adding language allowing expungement of records for marijuana offenders;
- (5) Specifying that the rate for permit and renewal fees are \$25.00 each and the rate for duplicate permit fees are \$5.00 each;
- (6) Inserting an effective date of March 22, 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. 669, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 669, 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 (San Buenaventura, Awa).

**SCRep. 624 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 1154**

The purpose and intent of this measure is to authorize government agencies to wheel electricity that is produced by their own facilities from renewable energy sources to another government entity, subject to certain conditions determined by the Public Utilities Commission.

Your Committees received testimony in support of this measure from Ulupono Initiative, Sustainable Energy Hawai'i, and two individuals. Your Committees received testimony in opposition to this measure from Hawaiian Electric Company, Inc. and International Brotherhood of Electrical Workers Local Union 1260. Your Committees received comments on this measure from Public Utilities Commission, Department of Commerce and Consumer Affairs, Life of the Land, and Kaua'i Island Utility Cooperative.

Your Committees find that facilities such as the University of Hawaii Maui College and nine other campuses across the State have photovoltaic systems installed on their parking shade structures and rooftops. However, the excess electricity generated at these facilities is wasted because there is no system that allows wheeling of the surplus clean energy to another connected facility. Your Committees believe that the production of clean energy may be encouraged if government agencies, as sellers of clean electricity, are allowed to engage in intragovernmental wheeling, in which electric power is transmitted from one agency's power generation to the facilities of other governmental agencies over the existing transmission lines of a third-party electric public utility. This measure will help the State meet its renewable energy goals by authorizing government agencies to wheel electricity that is produced by their own facilities from renewable energy sources to another government entity, subject to certain conditions determined by the Public Utilities Commission.

Your Committees have amended this measure by:

- (1) Requiring the Public Utilities Commission to implement the provisions of this measure either by order of the commission or by rules pursuant to chapter 91, Hawaii Revised Statutes;
- (2) Inserting language exempting member-owned cooperatives from the authorization of government agencies to wheel electricity that is produced by their own facilities from renewable energy sources; 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. 1154, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1154, 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, 3. Noes, none. Excused, 2 (Kim, Fevella).

Government Operations: Ayes, 5. Noes, none. Excused, none.

**SCRep. 625 Government Operations on S.B. No. 1465**

The purpose and intent of this measure is to allow agencies to rank fewer than three persons for professional services when fewer than three qualified persons respond to the solicitation or request to use alternative procurement procedures when no qualified person responds to the solicitation.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Department of Transportation, University of Hawai'i System, and Department of Finance of the County of Kauai. Your Committee received testimony in opposition to this measure from Kauahikaua and Chun Architects. Your Committee received comments on this measure from the State Procurement Office, American Council of Engineering Companies of Hawaii, and one individual.

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 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) Inserting language to specify the process for the award of a professional services contract when less than three or no qualified persons respond to a notice;
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee received testimony from various concerned stakeholders that provided amended language in response to these concerns. Your Committee has amended this measure to reflect the initial suggestion provided by the parties. However, your Committee finds that there is a need for uniformity and harmony in the proposed amendments between the State Procurement Office and the additional stakeholders that are also invested in the success of this measure. Should this measure carry over to the House of Representatives, it is your Committees' hope that the parties will continue to facilitate productive dialogue.

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. 1465, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1465, 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 (San Buenaventura).

**SCRep. 626 (Joint) Housing and Water and Land on S.B. No. 139**

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, excluding lands under the jurisdiction of the Department of Hawaiian Home Lands, shall be designated as important housing lands to promote the development of homes priced below market rates for eligible residents; and
- (2) Require state and county housing policies, tax policies, 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 opposition to this measure from the Department of Land and Natural Resources and City and County of Honolulu. Your Committees received comments on this measure from the Department of Budget and Finance and Office of Planning and Sustainable Development.

Your Committees find that there is a shortage of housing in the State, especially for low-income households. One solution to provide more affordable housing is by creating vibrant, multi-modal, mixed-use neighborhoods around transit stations. This measure establishes that all state-owned lands located within one mile of any rail mass transit station, excluding lands under the jurisdiction of the Department of Hawaiian Home Lands, shall be designated as important housing lands and requires state and county housing policies, tax policies, land use plans, ordinances, and rules to promote the long-term viability of important housing lands consistent with certain policies.

Your Committees acknowledge the testimony from various stakeholders recognizing that although identifying housing lands that could accommodate affordable housing is an important state goal, this measure would not significantly advance that goal.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and:
  - (A) Inserting language that requires the Hawaii Public Housing Authority to conduct a study recommending certain state-owned lands located within a one-half mile radius of any rail mass transit station, excluding lands under the jurisdiction of the Department of Hawaiian Home Lands, that are most suitable for constructing at least one hundred thousand units of housing; and submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024; and
  - (B) Inserting an appropriation in the amount of \$500,000 for the Hawaii Public Housing Authority to conduct the study, or contract services to conduct the study; 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 are in accord with the intent and purpose of S.B. No. 139, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 139, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by President and the Chair on behalf of the Committees.  
Housing: Ayes, 5. Noes, none. Excused, none.  
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 627      Housing on S.B. No. 551**

The purpose and intent of this measure is to clarify that notwithstanding any other law to the contrary, the Hawaii Housing Finance and Development Corporation may develop certain housing projects that shall be exempt from all statutes, ordinances, charter provisions, and rules relating to planning, zoning, and other certain standards, provided that certain conditions are met.

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 Land and Natural Resources and the Hawai'i Emergency Management Agency.

Your Committee finds that Hawaii is in housing crisis and all efforts must be taken to provide the necessary supply. Exempting certain housing projects from certain regulations can expedite the creation of more housing. Your Committee notes, however, that flood damage is among the most common disaster-related claims in the State. The State and four counties participate in the National Flood Insurance Program (NFIP), which requires compliance with the National Flood Insurance Act of 1968. According to testimony received by your Committee, the Federal Emergency Management Agency could suspend a participating community from the NFIP for failing to adequately administer and enforce floodplain development regulations, leading to the loss of federal flood insurance coverage for tens of thousands of property owners in the State and the State's exclusion from certain forms of federal disaster relief.

Accordingly, your Committee has amended this measure by amending language to clarify that the certain housing development projects are exempt only if they are not located within a Special Flood Hazard Area as identified on the current Federal Emergency Management Agency's Flood Insurance Rate Maps.

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. 551, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 551, S.D. 2, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 628      (Majority) Housing on S.B. No. 1139**

The purpose and intent of this measure is to require rental housing projects to maintain, in perpetuity, fifty percent of the project's units for rental to certain low-income tenants eligible for the Hawaii Housing Finance and Development Corporation's Rental Assistance Program.

Your Committee received testimony in support of this measure from Partners in Care and one individual. Your Committee received testimony in opposition to this measure from NAIOP Commercial Real Estate Development Association. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that many rental housing projects that were built decades ago are being converted into less affordable units today. Your Committee believes that the State has a duty to ensure that affordable rental housing is available within its communities. This measure will help create and maintain an inventory of affordable rental units for low-income individuals who are currently on or are eligible for rental assistance vouchers.

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. 1139 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 (Awa). Excused, none.

**SCRep. 629      (Joint) Housing and Water and Land on S.B. No. 1352**

The purpose and intent of this measure is to:

- (1) Establish the Rental Deposit Loan Program (Loan Program);
- (2) Create tax incentives for the development of affordable housing;
- (3) Address government processes to lower housing costs; and
- (4) Appropriate funds for the establishment of the Loan Program.

Your Committees received testimony in support of this measure from the Chief Housing Officer; Hawaii Housing Finance and Development Corporation; two members of the Kaua'i County Council; NAIOP Commercial Real Estate Development Association, Hawaii Chapter; Hawai'i Association of REALTORS; and Pacific Resource Partnership. Your Committees received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committees find that this administration measure is meant to secure housing for workforce renters and provide incentives for the development of affordable housing through temporary expedited processes, including third-party review, and general excise tax exemptions. Your Committees note the concerns expressed that there is no requirement for the savings from the general excise tax exemption in this measure to be passed along to residents.

Your Committees have amended this measure by:

- (1) Clarifying that the Loan Program is meant to assist residents of the State who are renter-occupants and own no other real property;

- (2) Requiring HHFDC to award grants for the administration of the Loan Program pursuant to chapter 103D, rather than 103F, Hawaii Revised Statutes;
- (3) Inserting certain language from Senate Bill 872, Regular Session of 2023, which allows HHFDC to develop certain housing projects that are exempt from laws, rules, and ordinances, including income restrictions, under certain circumstances;
- (4) Adding a tax certification requirement to the general excise tax exemption to help minimize invalid or fraudulent claims;
- (5) Inserting definitions for “qualified person or firm” and “affordable housing units in the State that are part of a government agency’s or approving body’s condition for approval”;
- (6) Clarifying that the Department of Land and Natural Resources may retain a consultant to perform certain reviews, which shall be subject to approval from the appropriate island burial council and aha moku council before retaining the services of a third-party consultant;
- (7) Authorizing the counties to promote certain labor standards through zoning ordinances;
- (8) Clarifying that every laborer and mechanic employed for the construction of any public work project, including off-site construction where a portion of the building or work is manufactured or constructed for the performance of the contract, shall be paid no less than the prevailing wages, under certain conditions;
- (9) Deleting language that restricts a qualified person or firm of a project from receiving any other direct or indirect financing from any other governmental contracting agency;
- (10) Requiring all orders from the Governor to set aside public lands for the development of affordable housing to contain a provision that the construction of the development shall be subject to Hawaii’s law on the wages and hours of employees on public works;
- (11) Repealing the \$30,000,000 cap and contracting restriction on the general excise tax exemption for all projects approved and certified by HHFDC;
- (12) Deleting language that would have streamlined the county approval process as it would have limited the county’s ability to work with its constituents and stakeholders, thus leading to increased disapprovals of housing projects;
- (13) Adding the establishment of one full-time equivalent (1.0 FTE) staff position in HHFDC to administer the Loan Program;
- (14) Amending section 1 to reflect its amended purpose;
- (15) Inserting an effective date of January 1, 2024; and
- (16) 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. 1352, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1352, 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. 630 (Joint) Higher Education and Health and Human Services on S.B. No. 500**

The purpose and intent of this measure is to appropriate funds for the establishment of three additional permanent full-time equivalent (3.0 FTE) Mental Health Practitioner positions within the University of Hawaii’s Counseling and Student Development Center.

Your Committees received testimony in support of this measure from the University of Hawai’i System, Associated Students of the University of Hawai’i, and seven individuals.

Your Committees find that college students are facing greater and more complex challenges in their personal and academic lives. During the 2020-2021 school year, more than sixty percent of college students nationwide met the criteria for at least one mental health problem. Despite the prevalence of anxiety, stress, and depression amongst University of Hawaii students remaining on par with that of university students nationwide, the number of professionals available to University of Hawaii students falls well below the nationally recommended ratio of one full-time equivalent (1.0 FTE) mental health professional per one thousand five hundred students. The ratio at the University of Hawaii at Manoa is one mental health professional per 3,815 students, more than double the recommended ratio. To increase access to mental health services, this measure appropriates funds to the University of Hawaii at Manoa to establish three additional full-time equivalent (3.0 FTE) Mental Health Practitioner positions.

As affirmed by the records of votes of the members of your Committees on Higher Education and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 500 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 (Fukunaga).  
 Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 631 (Joint) Higher Education and Health and Human Services on S.B. No. 262**

The purpose and intent of this measure is to appropriate funds to support and expand physician residency training programs in the State’s teaching hospitals, subject to dollar-for-dollar matching funds from private funding sources.

Your Committees received testimony in support of this measure from the Department of Health, Hawaii Medical Association, and Hawai'i Primary Care Association. Your Committees received comments on this measure from the University of Hawai'i System.

Your Committees find that there is a growing shortage of qualified physicians in the State. Despite this shortage, many graduates of the University of Hawaii John A. Burns School of Medicine are forced to leave the State due to a lack of residency training programs. Because physicians are more likely than not to remain and practice in their residency locale, expanding medical residency programs in the State is critical to the retention of physicians. Therefore, to address the State's physician shortage, this measure appropriates funds to support and expand physician residency training programs in the State's teaching hospitals.

As affirmed by the records of votes of the members of your Committees on Higher Education and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 262 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 (Fukunaga).  
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 632 (Joint) Higher Education and Health and Human Services on S.B. No. 62**

The purpose and intent of this measure is to:

- (1) Reestablish 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; and
- (2) Appropriate moneys to the John A. Burns School of Medicine to:
  - (A) Expand medical residency and training in Hawaii, with an emphasis on supporting residency training on the neighbor islands and in medically underserved populations throughout the State; and
  - (B) 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 Committees received testimony in support of this measure from the University of Hawai'i System, Associated Students of the University of Hawaii, Hawai'i Pacific Health, Hawaii Medical Association, The Queen's Health System, Hawai'i Primary Care Association, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance and Department of the Attorney General.

Your Committees find that there is a health care provider shortage in the State, particularly on the neighbor islands. Research suggests that physicians who complete medical school and residency training in Hawaii remain in Hawaii to practice, and medical residents who train on the neighbor islands are more likely to practice on the neighbor islands. Because graduate medical costs in the State are largely borne by the University of Hawaii and its affiliated health systems, ongoing medical education funding is critical to the recruitment, training, and retention of physicians in the State. Therefore, to mitigate the State's physician shortage, this measure expands medical and residency training in Hawaii by reestablishing the Hawaii Medical Education Special Fund and appropriating moneys to the University of Hawaii John A. Burns School of Medicine.

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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 62, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 62, 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 (Fukunaga).  
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 633 (Joint) Higher Education and Labor and Technology on S.B. No. 1249**

The purpose and intent of this measure is to appropriate funds to support cybersecurity and data science programs at the University of Hawaii Maui College.

Your Committees received testimony in support of this measure from the Office of Enterprise Technology Services, University of Hawai'i System, and six individuals.

Your Committees find that cybersecurity is in high demand across the State. To increase local applicants' ability to compete for high-paying jobs within the industry, a workforce pipeline that couples educational opportunities to earn industry-recognized credentials with hands-on experience is critical. The Center for Cybersecurity Education and Research at the University of Hawaii Maui College is positioned to develop this workforce pipeline through its cybersecurity guidance, training, and workforce development activities. Therefore, to help support workforce development and economic diversification throughout the State, this measure appropriates funds to support cybersecurity and data science programs at the University of Hawaii Maui College, including for laboratories and equipment, laboratory assistants, and lecture support.

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 Higher Education and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1249, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1249, 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, 5. Noes, none. Excused, none.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).

**SCRep. 634 Labor and Technology on S.B. No. 1311**

The purpose and intent of this measure is to repeal Act 192, Session Laws of Hawaii 2007, which requires the Employees' Retirement System to divest itself of investments in companies that provide support for genocide in Darfur, Sudan, and to provide annual reports to the Legislature on the status of those divestments.

Your Committee received testimony in support of this measure from the Employees' Retirement System. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Act 192, Session Laws of Hawaii 2007, was enacted to voice Hawaii's opposition to the humanitarian crisis that was occurring in the Darfur Region of Sudan and place economic pressure on the Sudanese Government by prohibiting the Employees' Retirement System from investing in companies that do business with Sudan. Since then, reports by the United State Department of State concluded that the United States has revoked all sanctions against Sudan and that the President has declared that the government of Sudan has honored its commitments to cease attacks on civilians, demobilize and demilitarize the Janjaweed and associated militias, granted free and unfettered access for deliveries of humanitarian assistance, and allowed for the safe and voluntary return of refugees and internally displaced persons. According to testimony received by your Committee, this measure will also relieve the Employees' Retirement System and its investment manager of a significant monitoring and reporting burden and associated expenses.

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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1311, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1311, 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 (Lee, Fevella).

**SCRep. 635 Labor and Technology on S.B. No. 460**

The purpose and intent of this measure is to appropriate funds to the Office of Community Services of the Department of Labor and Industrial Relations to fund the purchase, storage, and transportation costs of food for distribution to food banks in the State.

Your Committee received testimony in support of this measure from the Department of Human Services; Office of Community Services; Hawai'i Health & Harm Reduction Center; Hawai'i Primary Care Association; Hawai'i Foodbank, Inc.; Hawai'i Public Health Institute; Hawaii Food Industry Association; 'Elepaio Social Services; Ulupono Initiative LLC, The Food Basket Inc.; Hawai'i Hunger Action Network; Hawai'i Children's Action Network Speaks!; Lanakila Pacific, Hawai'i Farm Bureau; and four individuals.

Your Committee finds that due to the high cost of living and the recent historic inflation and other factors, many people in the State face food insecurity and food banks provide a safety net for local families facing these challenges. According to testimony received by your Committee, not only did the coronavirus disease 2019 (COVID-19) pandemic amplify the need for food and food banks in the State, but inflation, increased food prices, and decreased retail donations have changed the food bank model by increasing the purchases of food that food banks must make. Additional testimony from the Hawai'i Food Bank states that it continues to serve fifty percent more people than it did prior to the COVID-19 pandemic.

Your Committee further finds that many other states support their network of food banks with core funding. According to testimony received during the hearing, your Committee finds that the methodology used by The Emergency Food Assistance Program (TEFAP) of the Food and Nutrition Service of the United States Department of Agriculture to determine the allocation of critical resources for the purchase and distribution of food contains an exemption that will facilitate the allocation of funds to food banks, as defined in title 7 Code of Federal Regulations section 251.3(f), and agencies that function as food banks through title 7 Code of Federal Regulations section 250.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the allocation of funds by the Office of Community Services shall be through TEFAP of the Food and Nutrition Service of the United States Department of Agriculture as provided in title 7 Code of Federal Regulations section 250;
- (2) Clarifying that administering agencies shall use not more than fifteen percent of their allocation for administer the program; and
- (3) 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 460, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 460, 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. 636 (Majority) Judiciary on S.B. No. 1005**

The purpose and intent of this measure is to establish a date for presidential primaries, as well as signature and fee requirements, for a person to be nominated as a presidential primary candidate.

Your Committee received testimony in support of this measure from the Democratic Party of Hawai'i, Legislation Committee of the Democratic Party of Hawai'i, and ten individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Office of Elections.

Your Committee finds that state run caucuses reach out and touch a much smaller number of prospective voters, who may or may not reflect the economic, geographical, and social diversity of the State's people, even despite the best efforts of the state parties to be inclusive. The last state-run caucus reached out to approximately eighty thousand prospective voters. This number is much lower than the number of people who vote in primaries for the state governor. Your Committee further finds that the President of the United States of America is arguably the most important leader in the free world. Therefore, it is important to bring the question of who should be President to each and every registered voter in the State. This measure will make it easier for citizens of the State to participate and vote in selecting their national leader.

Your Committee has amended this measure by:

- (1) Incorporating changes proposed by the Office of Elections by:
  - (A) Adding language that specifies that chapter 12, Hawaii Revised Statutes, shall be applicable to the presidential preference primary, but in no way supersede section 11-113, Hawaii Revised Statutes, concerning the names that will appear on the general election ballot;
  - (B) Adding language that specifies that a presidential preference primary election candidate who is not the winner of the presidential preference primary election shall not be precluded from appearing on the general election ballot;
  - (C) Adding language that specifies that nomination papers for a presidential preference primary election shall only be for recognized political parties and shall become available on an unspecified amount of days before the presidential preference primary election to which they correspond;
  - (D) Adding language that specifies that nomination paper requirements shall apply to candidates seeking to appear on the presidential preference primary ballot for a political party recognized under section 11-61, Hawaii Revised Statutes;
  - (F) Specifying that nomination papers for presidential candidates shall be filed with the chief election officer no later than 4:30 p.m. on the eighty-fifth day prior to the date of the primary election;
  - (G) Specifying that the name of no candidate for any office shall be printed upon any official ballot, in any election, including a presidential preference primary election, unless the candidate shall have taken and subscribed to the written oath or affirmation, and filed the oath with the candidate's nomination papers;
  - (H) Adding language that specifies that objections to the nomination papers of presidential candidates be filed in writing no later than 4:30 p.m. on the seventy-fifth day or the next earliest working day prior to the presidential preference primary election;
  - (I) Adding language that specifies that the complaint shall be filed with the clerk of the circuit court no later than 4:30 p.m. on the seventy-fifth day or the next earliest working day prior to the presidential preference primary election;
  - (J) Adding language that specifies that no nonpartisan candidates shall be permitted in a presidential preference primary election and that specifies that there shall not be any names of nonpartisan candidates on the ballot for a presidential preference primary election;
  - (K) Adding language that specifies that a candidate who receives the most votes in a presidential preference primary election shall not necessarily appear on the general election ballot, because the candidates who appear on the general election ballot shall be determined in a manner consistent with section 11-113, Hawaii Revised Statutes;
  - (L) Adding language that specifies that political parties shall send delegates to their respective national conventions with each delegate pledged to a presidential candidate in proportion to the votes that each candidate received during the presidential preference primary election; and
  - (M) Adding language that specifies that an unopposed candidate in a presidential preference primary election shall not be considered to have won the general election outright;
- (2) Adding language that allows parties to opt out of the presidential preference primary six months before the election date;
- (3) Making an appropriation for an unspecified amount to the Office of Elections for the presidential preference primary to be administered;
- (4) Specifying that the effective date for the implementation of the presidential preference primary is June 1, 2023; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the Senate Draft 1 of this measure contains an unspecified appropriation amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$2,787,705.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1005, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1005, 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 (Awa). Excused, none.

**SCRep. 637 Water and Land on S.B. No. 1144**

The purpose and intent of this measure is to appropriate funds to establish a homelessness coordinator position for the island of Maui within the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Partners In Care.

Your Committee finds that, according to the 2020 Homeless Point-in-Time Count survey, approximately eight hundred people were designated as homeless in the County of Maui in 2020. Additionally, homeless encampments have increased significantly along the north shore as a result of the County of Maui clearing out one of the island's largest homeless camps. Therefore, your Committee finds that establishing a homeless coordinator position could help to coordinate responses across all divisions of the Department of Land and Natural Resources to assist homeless individuals in accessing services, while ensuring that the land is also cared for. Therefore, this measure appropriates funds to establish a homelessness coordinator position for the island of Maui within 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. 1144, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1144, 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. 638 (Joint/Majority) Water and Land and Hawaiian Affairs on S.B. No. 736**

The purpose and intent of this measure is to:

- (1) Allow the Hawaii Community Development Authority to approve the residential development on the nine parcels conveyed to the Office of Hawaiian Affairs pursuant to Act 15, Session Laws of Hawaii 2012;
- (2) Raise the building height limit and increase the maximum floor area ratio for residential development on three of the nine parcels;
- (3) Exempt the residential developments on the nine parcels from the:
  - (A) Requirement to dedicate public facilities of land or facilities, or cash payments in lieu thereof, as a condition of development;
  - (B) Prohibition on sale or assignment of fee simple interest in land in the Kakaako Community Development District; and
  - (C) Prohibition on residential development in the Kakaako Makai area; and
- (4) Appropriate funds for repairs of certain structures located on the nine parcels and for compensation relating to the Office of Hawaiian Affairs' pro rata portion of income and proceeds from the public land trust.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs; Ko'olau Foundation; Iron Workers Stabilization Fund; Kamehameha Schools; Hawaii Hui; Ko'olauloa Hawaiian Civic Club; Friends of Kahana; Native Hawaiian Protocol and Consultant Services, Inc.; Ali'i Pauahi Hawaiian Civic Club; Ke One o Kākuhihewa; Native Hawaiian Chamber of Commerce; Makaha Hawaiian Civic Club; Association of Hawaiian Civic Clubs; Innovations Development Group; and fifty-seven individuals. Your Committees received testimony in opposition to this measure from Hawaii's Thousand Friends; Coalition to Mitigate the Impacts of Sea Level Rise; The Collection Association of Unit Owners; Free Access Coalition; HULI PAC; Friends of Kewalos; Kaka'ako Makai Community Planning Advisory Council; Malama Moana; Kakaako United; and seventy-eight individuals. Your Committees received comments on this measure from the Department of the Attorney General; Hawai'i Community Development Authority; Environmental Caucus of the Democratic Party of Hawai'i; and five individuals.

Your Committees find that in 2012, the Office of Hawaiian Affairs and the State reached a settlement to resolve all claims for back revenues pertaining to the income and proceeds from the public land trust past-due to the Office of Hawaiian Affairs that accumulated during the period between November 7, 1978, up to and including June 30, 2012. Your Committees further find that the settlement, approved by the Legislature and enacted as Act 15, Session Laws of Hawaii 2012 (Act 15), resolved the back revenue claims by conveying to the Office of Hawaiian Affairs nine parcels of land on the island of Oahu, located in the Kakaako Community Development District makai of Ala Moana Boulevard and between Kewalo Basin and the foreign trade zone, known as the Kakaako Makai area.

Your Committees further find that these nine parcels of land conveyed to the Office of Hawaiian Affairs are restricted from residential development use. Your Committees find that the Office of Hawaiian Affairs intends to develop some or all of the parcels of land conveyed pursuant to Act 15 for residential use as part of a master plan with retail and other commercial uses.

Your Committees have heard the testimony of the Department of the Attorney General, expressing concern that this measure is a special law because it proposes to lift the residential and height restrictions on specifically identified parcels of state land. The

Department of the Attorney General testified that to address this constitutional concern, the name “Kakaako Makai” and the identification of parcels by tax map key should be stricken from this measure.

Your Committees have also heard the testimony of the Hawaii Community Development Authority, requesting that the language establishing a public hearing and community-input process for development plans that would be in addition to the existing requirements of sections 206E-5.5 and 206E-5.6, Hawaii Revised Statutes (HRS), should be deleted for the purposes of clarity.

Therefore, your Committees have amended this measure by:

- (1) Removing the name “Kakaako Makai” and the identification of parcels by tax map key from this measure;
- (2) Deleting language specifying that authorization for residential development shall apply regardless of whether a parcel’s tax map key number is amended;
- (3) Deleting the language establishing a public hearing and community-input process for development plans that would be in addition to the requirements of sections 206E-5.5 and 206E-5.6, HRS, for the purposes of clarity;
- (4) Lowering the proposed increase to the building height limit to three-hundred fifty feet, from four hundred feet;
- (5) Amending section 1 to reflect its amended purpose;
- (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 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. 736, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 736, 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 (Elefante, McKelvey). Noes, none. Excused, none.

Hawaiian Affairs: Ayes, 4; Ayes with Reservations (Richards). Noes, 1 (Ihara). Excused, none.

**SCRep. 639 (Joint) Water and Land and Hawaiian Affairs on S.B. No. 1034**

The purpose and intent of this measure is to require the maintenance of at least three hundred parking stalls at Ala Wai Boat Harbor at no cost for recreational ocean access and for the practice of traditional and customary Native Hawaiian rights.

Your Committees received testimony in support of this measure from Surfrider Foundation, Friends of Kewalos, Free Access Coalition, Sea Together Magazine, The Coral Conservancy, and over two hundred twenty individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, Save our Surf, and fourteen individuals. Your Committees received comments on this measure from two individuals.

Your Committees find that the Ala Wai Boat Harbor serves as a melting pot of culture and activity in the community. Its ocean legacy is an asset to cultural and recreational practices and water sport opportunities, such as surfing, paddling, fishing, and Hawaii’s voyaging traditions. For many keiki, the Ala Wai Boat Harbor is their first introduction to canoe paddling, surfing, sailing, boating, and other water activities.

Your Committees further find that the Division of Boating and Ocean Recreation’s approved plan was revised to require no fewer than three hundred free parking stalls; however, the current request for proposals states that the parking plan is subject to change depending on the type and configuration of the new development project for the Ala Wai Boat Harbor. Your Committees find that the removal of free public parking would adversely restrict access to Hawaii’s natural resources for use by the community, increase the burden of transporting beach equipment from the proposed parking structure, and have potential safety consequences for surfers. Therefore, this measure requires the maintenance of at least three hundred parking stalls at Ala Wai Boat Harbor at no cost for recreational ocean access and for the practice of traditional and customary Native Hawaiian rights.

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.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider further examining the creation of signage indicating that free parking stalls are for recreational use only and to request the Division of Boating and Ocean Recreation to draft administrative rules accordingly.

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. 1034, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1034, 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.

Hawaiian Affairs: Ayes, 5; Ayes with Reservations (Keohokalole). Noes, none. Excused, none.

**SCRep. 640 (Joint) Hawaiian Affairs and Water and Land on S.B. No. 1040**

The purpose and intent of this measure is to:

- (1) Require the Department of Hawaiian Home Lands to establish the Kupuna Housing Pilot Program on the Leeward Coast of Oahu to provide individual or shared micro housing units and services to homeless Native Hawaiian individuals and families;
- (2) Exempt low-income rentals, tiny home villages, and Kauhale from certain provisions for the duration of their underlying leases consistent with the Governor's 2015 and 2018 Proclamations on Homelessness; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from the Office of the Governor, Governor's Coordinator on Homelessness, Hawaii Substance Abuse Coalition, Hawai'i Health and Harm Reduction Center, Opportunity Youth Action Hawai'i, Malama Makua, Environmental Caucus of the Democratic Party of Hawai'i, and five individuals. Your Committees received testimony in opposition to this measure from Hui Kako'o 'Āina Ho'opulapula and four individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Hawaii Emergency Management Agency, Department of Hawaiian Home Lands, State Procurement Office, and Office of Information Practices.

Your Committees find that homelessness continues to be one of Hawaii's most dire and persistent challenges. Your Committees further find that Native Hawaiians are disproportionately affected by the housing crisis. Although Native Hawaiians represent less than twenty percent of the State's population, according to the 2020 point-in-time count, Native Hawaiians represent over half of all homeless individuals.

Your Committees also find that the Department of Hawaiian Home Lands owns lots that are available for development along the Leeward Coast of Oahu. Your Committees believe that these lands can be used to help reduce homelessness and support the needs of those who are homeless.

Your Committees have amended this measure by:

- (1) Inserting additional legislative findings;
- (2) Changing the pilot program to be the Rent-With-Option-To-Purchase Pilot Program for native Hawaiian beneficiaries who are homeless, or threatened with homelessness, and on the Department of Hawaiian Home Lands waiting list, instead of a rental program for Native Hawaiians who meet the definition of homeless as defined by the United States Department of Housing and Urban Development;
- (3) Replacing certain references to "Kauhale" or the "Kauhale Pilot Program" with "rent-with-option-to-purchase" or "Rent-With-Option-to-Purchase Pilot Program";
- (4) Deleting the proposed construction exemptions pursuant to the Governor's 2015 and 2018 proclamations on homelessness;
- (5) Allowing the Department of Hawaiian Home Lands to purchase lands and retain the authority to determine which lands to use for the pilot program pursuant to chapter 91, Hawaii Revised Statutes;
- (6) Requiring the Department of Hawaiian Home Lands to establish any terms, conditions, and requirements as necessary to facilitate the transfer of ownership in a unit to the lessee upon the expiration of the lease;
- (7) Eliminating the minimum and maximum square foot requirements for the proposed dwelling units;
- (8) Adding definitions for "Rent-With-Option-To-Purchase Pilot Program", "Leeward Coast", and "threatened with homelessness";
- (9) Providing that nothing in this measure shall be inconsistent with, or contrary to, any act of the Hawaiian Homes Commission Act 1920, as amended, or any regulation promulgated or standard established pursuant thereto;
- (10) Specifying that the Rent-With-Option-To-Purchase Pilot Program shall not be implemented with any funds from the \$600,000,000 appropriation made to the Department of Hawaiian Home Lands pursuant to Act 279, Session Laws of Hawaii 2022;
- (11) Amending section 1 to reflect its amended purpose; and
- (12) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider inserting an appropriation amount of \$3,000,000.

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. 1040, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1040, 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. Noes, none. Excused, none.

Water and Land: Ayes, 5. Noes, none. Excused, none.

**SCRep. 641 (Joint/Majority) Hawaiian Affairs and Water and Land on S.B. No. 1354**

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 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 received testimony in support of this measure from the Department of Land and Natural Resources, Department of Hawaiian Home Lands, and one individual. Your Committees received testimony in opposition to this measure from the Historic Hawai'i Foundation and two individuals. Your Committees received comments on this measure from the Office of Hawaiian Affairs.

Your Committees find that section 6E—8, Hawaii Revised Statutes (HRS), plays an important role in the protection and management of the State's historic properties and burial sites. Section 6E-8(b), HRS, requires the Department of Hawaiian Home Lands, prior to any proposed project relating to lands under its jurisdiction, to consult with the Department of Land and Natural Resources regarding the effect of the project upon historic property or a burial site. However, your Committees find that allowing the Department of Hawaiian Home Lands to assume review for certain projects for lands under its jurisdiction would help expedite the work that the Department of Hawaiian Home Lands does in constructing new housing and development for its beneficiaries on the waiting list. Your Committees find that a balance can be struck between the need to preserve important historical and cultural resources and the need to expedite construction for Department of Hawaiian Home Lands beneficiaries. Therefore, this measure allows the Department of Hawaiian Home Lands to assume historic preservation review 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 have heard the testimony of the Department of Land and Natural Resources, expressing concerns that language should be included in this measure that will ensure that all interested parties receive notice and know well in advance when any project under review will transition from the Department of Land and Natural Resources to the Department of Hawaiian Home Lands. The Department of Land and Natural Resources also testified that it would prefer to retain authority over reviews that are located in designated historic districts.

Your Committees have also heard the testimony of the Office of Hawaiian Affairs, requesting that the Department of Hawaiian Home Lands ensure that it has adequate resources to perform a satisfactory review before assuming any project from the Department of Land and Natural Resources. The Office of Hawaiian Affairs further testified as to its desire to be consulted by the Department of Hawaiian Home Lands for projects that could have adverse impacts on historic properties that are important to Native Hawaiians, as the Office has databases with invaluable historic and archaeological information that could be useful for those specific reviews.

Therefore, your Committees have amended this measure by:

- (1) Requiring the Department of Hawaiian Home Lands to provide the Department of Land and Natural Resources with specific written notice;
- (2) Allowing the Department of Land and Natural Resources to retain authority for review over projects located in a designated historic district;
- (3) Requiring the Department of Hawaiian Home Lands to have adequate resources to perform the historic review prior to assuming a review from the Department of Land and Natural Resources; and
- (4) Requiring the Department of Hawaiian Home Lands to consult with the Office of Hawaiian Affairs when reviewing historic properties that are important to Native Hawaiians.

Your Committees also note the testimony of the Historic Hawai'i Foundation, expressing concerns that the Department of Hawaiian Home Lands does not have the qualified staff, subject matter expertise, and appropriate administrative framework or other capacity to conduct these reviews. The Historic Hawai'i Foundation also testified as to their concerns over potential conflicts of interest that may arise due to the Department of Hawaiian Home Land's development aims. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers further examining the Historic Hawai'i Foundation's concerns.

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. 1354, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1354, 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 (Ihara, Richards). Noes, 1 (Fevella). Excused, none.

Water and Land: Ayes, 4; Ayes with Reservations (Elefante, McKelvey). Noes, 1 (Fevella). Excused, none.

**SCRep. 642 (Joint/Majority) Public Safety and Intergovernmental and Military Affairs and Education on S.B. No. 124**

The purpose and intent of this measure is to:

- (1) Prohibit the possession of firearms on school property, school buses, and at school-sponsored functions; and
- (2) Exempt certain law enforcement officers and instructors and participants of certain educational or training programs.

Your Committees received testimony in support of this measure from the Department of Education; Honolulu Police Department; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Students Demand Action; Americans for Democratic Action Hawai'i; and seven individuals. Your Committees received testimony in opposition to this measure from thirty-one individuals. Your Committees received comments on this measure from the Hawai'i State Public Library System, Hawaii Firearms Coalition, and one individual.

Your Committees find that Hawaii currently has no specific state statute to address firearms on school property. To deter or prosecute a person for carrying a firearm on school property, state officials mainly rely on federal laws, specifically the Gun-Free School Zones Act of 1990. However, the Gun-Free School Zones Act was passed more than two decades ago and does not apply to all persons licensed by a state to possess or conceal-carry a firearm on school property. Your Committees believe that Hawaii's firearm laws should be updated to strengthen the State's ability to prosecute persons who bring a firearm on school property. This measure will protect the safety of Hawaii's school children and staff by prohibiting the possession of firearms on school property, school buses, and at school-sponsored functions while exempting certain law enforcement officers and instructors and participants of certain educational or training programs.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 124 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chair and President on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, 1 (Awa). Excused, none.

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

**SCRep. 643 (Joint) Public Safety and Intergovernmental and Military Affairs and Higher Education on S.B. No. 710**

The purpose and intent of this measure is to:

- (1) Appropriate funds to the University of Hawaii Windward Community College for the education and reentry program for incarcerated women developed and administered by Hawaii Friends of Restorative Justice; and
- (2) Authorize the University of Hawaii Windward Community College to award grants to a private entity.

Your Committees received testimony in support of this measure from the Department of Public Safety, University of Hawai'i System, Windward Community College, McKinley Community School for Adults, Hawai'i Friends of Restorative Justice, Women's Prison Project, Community Alliance on Prisons, University of Hawaii Professional Assembly, Adult Friends for Youth, and twenty-one individuals. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that in August 2021, the Hawaii Friends of Restorative Justice was awarded \$250,000 from the Governor's Emergency Education Relief Fund to fund the first year of an education and reentry program for incarcerated women developed and administered by Hawaii Friends of Restorative Justice, in partnership with the Women's Community Correctional Center, Windward Community College, University of Hawaii at Manoa, and McKinley Community School for Adults. Your Committees further find that in 2022, the Legislature attempted to fund the second year of the pilot program by making a \$200,000 appropriation to McKinley Community School for Adults. However, McKinley Community School for Adults did not develop and does not directly administer the program, resulting in the appropriated moneys not being distributed. Hawaii Friends of Restorative Justice has continued to administer the program through a private donation while awaiting access to the appropriated funding. Your Committees believe that the program has been successful at assisting incarcerated women in achieving their educational goals and should continue to be funded. This measure will help incarcerated women obtain general educational development certifications by funding the education and reentry program for incarcerated women developed and administered by the Hawaii Friends of Restorative Justice.

Your Committees have amended this measure by:

- (1) Inserting language requiring the McKinley Community School for Adults to work with Hawaii Friends of Restorative Justice to provide counseling services for incarcerated women participating in the education and reentry program for incarcerated women;
- (2) Deleting language that would have appropriated funds for the education and reentry program for incarcerated women, developed and administered by Hawaii Friends of Restorative Justice for fiscal year 2024-2025;
- (3) Clarifying that the appropriation to the Hawaii Friends of Restorative Justice is a grant pursuant to chapter 42F, Hawaii Revised Statutes;
- (4) Inserting language establishing standards for the administrative grant to the Hawaii Friends of Restorative Justice;
- (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 records of votes of the members of your Committees on Public Safety and 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. 710, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 710, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Higher Education: Ayes, 5. Noes, none. Excused, none.

**SCRep. 644 (Joint) Public Safety and Intergovernmental and Military Affairs and Higher Education on S.B. No. 711**

The purpose and intent of this measure is to require the University of Hawaii to conduct a comparative study of all programming offered to persons incarcerated at correctional facilities in the State, for the purpose of identifying gaps in programming offered to female inmates.

Your Committees received testimony in support of this measure from the Department of Public Safety, University of Hawai'i System, Stonewall Caucus of the Democratic Party of Hawai'i, and twelve individuals. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that existing law requires parity in the programming offered to women and men incarcerated in the State's correctional facilities. However, based on the information provided in the Department of Public Safety's December 2021 report to the Legislature on gender responsive community-based programs for women, parity does not appear to exist with respect to the range and quality of programming that is currently available to female and male inmates in the State. Your Committees believe that more research is needed to determine what programs are needed to address any gaps in parity that exist between programs offered to men and women incarcerated in the State. This measure will address any gaps and shortfalls in the range and quality of programming currently offered to incarcerated women by appropriating funds to the Hawaii Friends of Restorative Justice and Women's Prison

Project as a grant to conduct a comparative study of all programming offered to persons incarcerated at correctional facilities in the United States.

Your Committees have amended this measure by:

- (1) Deleting language that would have required the University of Hawaii to conduct a comparative study of all programming offered to persons incarcerated at correctional facilities in the State, for the purpose of identifying gaps in programming offered to female inmates;
- (2) Inserting an appropriation of \$120,000 to the Hawaii Friends of Restorative Justice and Women's Prison Project as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to conduct a study of programming offered to persons incarcerated at correctional facilities and convene a group of incarcerated women for the purpose of identifying gaps in programming offered to female inmates;
- (3) Deleting language that would have appropriated funds to the University of Hawaii to conduct the comparative study;
- (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 Public Safety and 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. 711, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 711, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Higher Education: Ayes, 5. Noes, none. Excused, none.

**SCRep. 645 (Joint) Public Safety and Intergovernmental and Military Affairs and Higher Education on S.B. No. 712**

The purpose and intent of this measure is to appropriate moneys to Windward Community College to support a level I trauma-informed certification program for adult corrections officers.

Your Committees received testimony in support of this measure from the Department of Public Safety; Hawaii Correctional System Oversight Commission; Judiciary; Department of Health; University of Hawai'i System; United Public Workers, AFSCME Local 646, AFL-CIO; Opportunity Youth Action Hawai'i; University of Hawaii Professional Assembly; Hawai'i Friends of Restorative Justice; Women's Prison Project; Adult Friends for Youth; and fourteen individuals.

Your Committees find that a significant proportion of the individuals in the corrections and rehabilitation system have experienced serious trauma during their lifetimes. Your Committees further find that when corrections professionals are trained to properly assess and interact with persons who have experienced trauma, those professionals are better able to engage those individuals, which makes those individuals more likely to connect with vital services and less likely to commit disciplinary infractions or recidivate. Your Committees believe that the establishment of a level I trauma-informed certification program may help to ensure that the State's corrections professionals are properly trained in trauma-informed care. This measure will improve the rehabilitation of individuals in the corrections and rehabilitation system by appropriating moneys to Windward Community College to support a level I trauma-informed certification program for adult corrections officers.

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 and 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. 712, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 712, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Higher Education: Ayes, 5. Noes, none. Excused, none.

**SCRep. 646 (Joint) Public Safety and Intergovernmental and Military Affairs and Labor and Technology on S.B. No. 1158**

The purpose and intent of this measure is to:

- (1) Provide police officers who become members of the Employees' Retirement System after June 30, 2023, with retirement benefits similar to those provided for members of the Employees' Retirement System who became members before July 1, 2012, including but not limited to calculation of retirement allowance, minimum age or years of credited service requirements, and vesting period; and
- (2) Allow retired police officers hired after June 30, 2001, to be treated as if employment began before July 1, 2001, in order to maintain spousal health benefits.

Your Committees received testimony in support of this measure from the State of Hawaii Organization of Police Officers and two individuals. Your Committees received testimony in opposition to this measure from the Department of Budget and Finance and Employees Retirement System. Your Committees received comments on this measure from the Department of the Attorney General and Grassroot Institute of Hawaii.



Your Committees find that the county police departments are suffering from critical officer shortages and are struggling to fill vacancies. Additionally, all four county police departments are losing experienced officers mid-career, as well as officers leaving the force on the day they become eligible to retire. Insufficient staffing means beats and neighborhoods across the State have inadequate police coverage, resulting in delayed response times to 911 calls and in some instances requiring officers to work twelve-hour shifts, six days a week. Your Committees believe that improving benefits will provide a much-needed incentive to recruit and retain more police officers. This measure will improve efforts to recruit and retain police officers by expanding certain retirement benefits for police officers.

Your Committees acknowledge the testimony of the Department of Budget and Finance and Employees' Retirement System expressing concerns that this measure may significantly increase annual fringe benefits costs for public employers in the future and set a precedent for other employee groups to request the same benefit amendments. Your Committees find that these issues raise concerns that merit further consideration and requests further examination by your Committee on Ways and Means.

Your Committees have amended this measure by:

- (1) Deleting language that would have expanded police officer benefits under the Hawaii Employer-Union Health Benefits Trust Fund as the title of this measure is not broad enough for its inclusion; 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 and Intergovernmental and Military Affairs and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1158, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1158, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5; Ayes with Reservations (Elefante). Noes, none. Excused, none.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).

**SCRep. 647 Energy, Economic Development, and Tourism on S.B. No. 1522**

The purpose and intent of this measure is to:

- (1) Establish an Office of Tourism and Destination Management within the Department of Business, Economic Development, and Tourism that encompasses regenerative tourism and best practice destination management;
- (2) Transfer the functions, duties, appropriations, and positions of the Hawaii Tourism Authority to the Office of Tourism and Destination Management;
- (3) Require the Office of Tourism and Destination Management to implement certain county destination management action plans;
- (4) Dissolve the Hawaii Tourism Authority; and
- (5) Appropriate funds.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from Pacific Rim Concepts, LLC and one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Hawai'i Tourism Authority; Department of Taxation; Office of Information Practices; Council for Native Hawaiian Advancement; Maui Hotel and Lodging Association; Kohala Coast Resort Association; Hawaii Lodging and Tourism Association; and two individuals.

Your Committee finds that due to mismanagement by the Hawaii Tourism Authority, the award of a \$34,000,000 contract for the marketing of Hawaii as a tourism destination to the United States major market area has been in limbo since 2021. This situation has been widely publicized and has demonstrated the Hawaii Tourism Authority's noncompliance with the State Procurement Code. Your Committee further finds that, prior to the establishment of the Hawaii Tourism Authority, the Department of Business, Economic Development, and Tourism managed the tourism marketing contracts for the State. This measure will re-establish public confidence in the State procurement process by dissolving the Hawaii Tourism Authority and transferring its duties and functions to the Department of Business, Economic Development, and Tourism.

Your Committee acknowledges certain concerns raised in testimony suggesting definitions for new terms including "regenerative Hawaiian cultural heritage business model", "destination management service", and "integrated marketing". Your Committee finds that these suggestions merit further consideration and requests further examination by your Committee on Ways and Means.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 6, 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. 1522, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1522, 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 (Fukunaga). Noes, none. Excused, none.

**SCRep. 648 (Joint) Health and Human Services and Higher Education on S.B. No. 436**

The purpose and intent of this measure is to appropriate funds to the University of Hawaii to support and expand the Mental Health Technician Certificate of Competence Program.

Your Committees received testimony in support of this measure from the Judiciary, Department of Health, University of Hawai'i System, University of Hawaii Professional Assembly, and four individuals.

Your Committees find that there is a severe shortage of mental health providers in the State. The University of Hawaii Windward Community College's Mental Health Technician Certificate of Competence Program helps mitigate this shortage by providing introductory training to prepare individuals to enter the mental health workforce. While the online format of the program allows for participation across the State, the program lacks the personnel and funds to render it fully accessible to all interested participants. To increase accessibility to the program, this measure appropriates funds to support and expand Windward Community College's Mental Health Technician Certificate of Competence Program, including for one full-time equivalent (1.0 FTE) Mental Health Technician Certificate of Competence Program Coordinator, a scholarship program, and the defrayal of administrative costs.

Your Committees have amended this measure by:

- (1) Inserting a blank appropriation amount; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider inserting an appropriation amount of \$137,250, to be expended as follows:

- (1) \$75,000 to establish a Mental Health Technician Certificate of Competence Program Coordinator position;
- (2) \$50,000 to establish a scholarship program; and
- (3) \$12,250 for other necessary administrative costs.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 436, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 436, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 649 (Joint) Higher Education and Health and Human Services on S.B. No. 1015**

The purpose and intent of this measure is to appropriate funds for the expansion of the University of Hawaii Maui College's Certified Nurse Aide to Practical Nurse Bridge Program.

Your Committees received testimony in support of this measure from the University of Hawai'i System, University of Hawaii Professional Assembly, The Queen's Health System, Healthcare Association of Hawaii, and Hawai'i – American Nurses Association. Your Committees received comments on this measure from the Hawai'i State Center for Nursing.

Your Committees find that there is a critical shortage of licensed practical nurses statewide. The University of Hawaii Maui College's Certified Nurse Aide to Practical Nurse Bridge Program allows eligible Maui and Oahu certified nurse aides and other health care professionals to continue working while pursuing a licensed practical nurse certification. In response to a great demand for participation in the program, Maui College's goal is to expand the program statewide. To help increase access to the program and mitigate the State's licensed practical nurse shortage, this measure appropriates funds to the University of Hawaii for the expansion of the Certified Nurse Aide to Practical Nurse Bridge Program, including for instructional costs and student aid.

As affirmed by the records of votes of the members of your Committees on Higher Education and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1015 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 (Fukunaga).

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 650 (Joint/Majority) Health and Human Services and Commerce and Consumer Protection on S.B. No. 375**

The purpose and intent of this measure is to:

- (1) Legalize, regulate, and tax cannabis and manufactured cannabis products for responsible, adult use;
- (2) Exempt sales of cannabis and manufactured cannabis products for medical use from the general excise tax;
- (3) Clarify that qualifying out-of-state patients have the same rights and privileges under the medical cannabis law; and
- (4) Allow qualifying out-of-state patients to cultivate medical cannabis.

Your Committees received testimony in support of this measure from the Office of the Public Defender; Drug Policy Forum of Hawai'i; Marijuana Policy Project; Aloha Green Holdings Inc.; Hawai'i Cannabis Industry Association; Noa Botanicals; Green Aloha, Ltd.; Doctors for Cannabis Regulation; Kauakini Hawaiian Civic Club of Kona; Habilitat, Inc.; National Organization for the Reform of Marijuana Laws; Associated Students of the University of Hawai'i; Imua Alliance; Education Caucus of the Democratic Party of

Hawai'i; and eighteen individuals. Your Committees received testimony in opposition to this measure from the Department of the Attorney General, State Procurement Office, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, American Cancer Society Cancer Action Network, Maine Craft Cannabis Association, Cannabis Society of Hawai'i, Hawaii Catholic Conference, Coalition for a Drug-Free Hawaii, Hawaii Family Forum, Kauai Farm Planning, Hawaii Substance Abuse Coalition, and thirty-four individuals. Your Committees received comments on this measure from the Department of Health; Department of Taxation; Department of Commerce and Consumer Affairs; Department of Transportation; Department of Budget and Finance; Lau Ola LLC dba Big Island Dispensaries; Last Prisoner Project; Tax Foundation of Hawaii; Reason Foundation; and two individuals.

Your Committees find that several states, including Hawaii, have enacted medical cannabis laws. Part IX of chapter 329, Hawaii Revised Statutes, was enacted to create a medical use of cannabis exemption from criminal sanctions. Additionally, chapter 329D, Hawaii Revised Statutes, was enacted to establish and regulate medical cannabis dispensaries, which allow cannabis to be cultivated, manufactured, and sold for medical use. Moreover, many states have decriminalized cannabis. The legalization of cannabis for personal or recreational use is a natural, logical, and reasonable outgrowth of the current science of cannabis and attitude toward cannabis. This measure provides for the legalization, regulation, and taxation of responsible, adult-use cannabis; exempts sales of cannabis and manufactured cannabis products for medical use from the general excise tax; provides that qualifying out-of-state patients have the same rights and privileges as qualifying patients with respect to medical cannabis; and allows qualifying out-of-state patients to cultivate medical cannabis.

Your Committees acknowledge the numerous concerns raised by multiple testifiers pertaining to various aspects of this measure. Therefore, your Committees finds it to be in the best interest of the people of the State for the Hawaii Cannabis Authority, established pursuant to this measure, to adopt rules in accordance with chapter 91, Hawaii Revised Statutes, to carry out the purposes of this measure, including rules concerning licensing, fees, operations, and testing, and all issues concerning the dispensing, sale, and taxation of adult-use cannabis. In doing so, your Committees strongly urge the Hawaii Cannabis Authority to work in collaboration with the Dual Use Cannabis Taskforce and other stakeholders, and consider the contents of this measure, public testimony submitted for this measure, and reports submitted by the Dual Use Cannabis Taskforce in its drafting of the rules required by this measure. Amendments to this measure are therefore necessary to reflect this finding.

Accordingly, your Committees have amended this measure by:

- (1) Deleting from section 3 of this measure, language that would have established provisions relating to the issuance of licenses, licensee operations and testing, licensing sanctions, lawful and prohibited acts, and miscellaneous provisions of the Hawaii Responsible, Adult-Use Cannabis Law;
- (2) Inserting language requiring the Hawaii Cannabis Authority to, no later than December 1, 2024, adopt rules pursuant to chapter 91 to effectuate the Hawaii Responsible, Adult-Use Cannabis Law and to carry out its purpose of protecting the health, safety, and welfare of consumers, including rules concerning licensing, fees, operations, and testing, and all issues concerning the dispensing, sale, and taxation of adult-use cannabis;
- (3) Inserting language that requires the filing of license applications pursuant rules adopted by the Hawaii Cannabis Authority to begin no later than January 31, 2025; and the issuance of licenses thereunder to begin no later than March 30, 2025;
- (4) Inserting language legalizing the possession of cannabis by an adult aged twenty-one and over in the amount of not more than four ounces;
- (5) Deleting section 4 of this measure, which would have prohibited counties from restricting use of land for medical cannabis production centers, responsible, adult-use cannabis cultivators; responsible, adult-use cannabis distributors; responsible, adult-use cannabis manufacturers; or responsible, adult-use cannabis retailers pursuant to the Hawaii Responsible, Adult-Use Cannabis Law;
- (6) Deleting sections 5 of this measure, which would have allowed existing medical cannabis dispensaries licensed under chapter 329D, Hawaii Revised Statutes, to apply for licenses pursuant to the Hawaii Responsible, Adult-Use Cannabis Law;
- (7) Deleting section 6 of this measure, which would have allowed the Department of Health to adopt interim rules to carry out the purposes of this the Hawaii Responsible, Adult-Use Cannabis Law;
- (8) Deleting sections 7 and 8 of this measure, which would have appropriated funds for the Hawaii Responsible, Adult-Use Cannabis Law;
- (9) Deleting sections 9 through 27 of this measure, which would have clarified the legality of cannabis and manufactured cannabis products for responsible, adult use with respect to the Uniform Controlled Substances Act and the Hawaii Penal Code;
- (10) Deleting sections 28 through 31 of this measure, which would have imposed an additional tax on the sale of cannabis and manufactured cannabis products for responsible, adult-use and exempted sales for cannabis and manufactured cannabis products from the general excise tax;
- (11) Deleting sections 32 through 34 of this measure, which would have amended the Uniform Controlled Substances Act and law governing medical cannabis dispensary system in the State to provide qualifying out-of-state patients the same rights and privileges as qualifying patients under certain provisions;
- (12) Inserting language that transfers all rights, powers, and responsibilities of the Department of Health pursuant to chapter 329D, Hawaii Revised Statutes, to the Hawaii Cannabis Authority;
- (13) Inserting language requiring the expungement of records relating to the arrest, criminal charge, or conviction of a person for an offense of possessing cannabis in the amount of no more than four ounces;
- (14) Inserting language permitting a person convicted of certain crimes to petition the court for an adjustment of sentence;

- (15) Inserting a blank appropriation amount to be expended by the Department of Health to implement this measure;
- (16) Amending section 1 to reflect its amended purpose; and
- (17) 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 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. 375, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 375, 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 and Human Services: Ayes, 2; Ayes with Reservations (Aquino). Noes, 1 (Awa). Excused, 2 (Moriwaki, Shimabukuro).

Commerce and Consumer Protection: Ayes, 3. Noes, 1 (Richards). Excused, 1 (McKelvey).

**SCRep. 651 (Joint/Majority) Health and Human Services and Commerce and Consumer Protection on S.B. No. 1**

The purpose and intent of this measure is to amend state law governing the intentional termination of pregnancy by:

- (1) Authorizing licensed physician assistants to perform certain abortions;
- (2) Repealing the requirement that abortions be performed in a hospital licensed by the Department of Health or operated by the federal government or an agency thereof, a clinic, or an office of a physician or osteopathic physician;
- (3) Declaring that a law of another state that authorizes a person to bring a civil action against a person who terminates or seeks to terminate a pregnancy; performs or induces the termination of a pregnancy; knowingly engages in conduct that aids or abets the performance or inducement of the termination of a pregnancy; or attempts or intends to engage in these acts, is contrary to the public policy of the State and shall not be enforceable in, or afford any basis for the granting of legal or equitable relief by, any court of the State; and
- (4) Prohibiting the State from taking certain actions with regard to civil and criminal actions from another state, including issuance of and enforcement of summons, subpoenas, and investigations related to reproductive health care.

Your Committees received testimony in support of this measure from the Department of Human Services; Department of Health; Hawai'i Civil Rights Commission; Hawai'i State Commission on the Status of Women; two members of the Kaua'i County Council; Hawaii Medical Service Association; Healthcare Association of Hawaii; Hawai'i Friends of Civil Rights; Stonewall Caucus of the Democratic Party of Hawai'i; Planned Parenthood Alliance Advocates – Hawai'i; Save Medicaid Hawaii; Rainbow Family 808.com Inc.; Hawai'i Academy of Physician Assistants; American Association of University Women (AAUW) of Hawaii; Pride at Work Hawai'i; Democratic Party of Hawai'i Women's Caucus; Hawai'i Association of Professional Nurses; Americans for Democratic Action Hawai'i; Hawai'i Section of the American College of Obstetricians and Gynecologists; Hawaii Association of Health Plans; Hawaii State Coalition Against Domestic Violence; and sixty-nine individuals. Your Committees received testimony in opposition to this measure from the Hawaii Family Forum; Ka'u Wellness LLC; and sixty-one individuals. Your Committees received comments on this measure from the Department of the Attorney General, Hawaii Medical Board, Hawai'i Women Lawyers and one individual.

Your Committees find that Hawaii has been and remains at the forefront of efforts to protect the right to privacy and personal autonomy independently of, and more broadly than, the United States Constitution. This is evidenced by the State being the first in the nation to decriminalize abortion through its enactment of Act 1, Session Laws of Hawaii 1970, codified at section 453-16, Hawaii Revised Statutes. Your Committees further find that the Hawaii State Constitution was amended in 1978 to include a separate and distinct section that recognizes the people's right to privacy and requires the Legislature to take affirmative steps to implement this right. In recognition of this fundamental right, existing state law prohibits the State from denying or interfering with a female's right to choose or obtain an abortion of a nonviable fetus or an abortion that is necessary to protect the life or health of the female.

Additionally, your Committees find that while Hawaii has been a long-time leader in protecting reproductive health care rights, your Committees find that the landscape in the remainder of the country is rapidly changing. In *Dobbs v. Jackson Women's Health Org.*, 142 S.Ct. 2228 (2022), the Supreme Court of the United States overruled nearly fifty years of precedent regarding reproductive rights and bodily autonomy, including *Roe v. Wade*, 410 U.S. 113 (1973) and *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), by holding that the United States Constitution does not provide a right to abortion and that the authority to regulate abortion must be returned to the people and their elected representatives. In response to *Dobbs*, an increasing number of states have enacted laws that ban abortion or severely restrict access thereto, including laws allowing enforcement through private, civil lawsuits. In addition, lawmakers in conservative states have threatened to pass laws that would reach across state lines and seek to penalize health care providers in other states who provided abortion-related care to their residents. These laws aim to restrict the residents of those states from not only accessing basic health care in their own state, but also from traveling to any other state to obtain abortion care. This measure declares that such laws and policies are contrary to the public policy of this State and are not enforceable in this State.

In recognition of these important issues, your Committees held a public hearing on this measure on February 1, 2023, and announced various amendments to this measure. However, in further consideration of the testimony provided by the people of the State, your Committees subsequently conferred to reconsider their previous decision and decided to make additional amendments to this measure. Due to the substantive nature of the additional amendments, your Committees held a public hearing on this measure on February 14, 2023, to announce the additional amendments to ensure compliance with the Hawaii State Constitution requirement that a bill pass three readings in each chamber of the Legislature before becoming law.

Additionally, your Committees find that S.B. No. 896, as amended by your Committees on February 1, 2023 (S.B. No. 896, S.D. 1), clearly articulates the State's well-established history of supporting the right to abortion in the preamble of that measure, in addition to providing more detailed, comprehensive protections against any civil and criminal anti-abortion laws of other states compared to this

measure, as currently written. Therefore, in addition to the amendments announced at your Committees' hearing on February 1, 2023, additional amendments to this measure are necessary to address these concerns and incorporate the contents of S.B. No. 896, S.D.1, to further strengthen this measure.

Accordingly, it is the intent of your Committees that this measure, as amended, will reverse and prevent the potential impacts that the *Dobbs* decision may have on the State and return Hawaii to the state of affairs prior to the overruling of *Roe* by the Supreme Court of the United States. Additionally, your Committees note the importance of maintaining a clean effective date to ensure the protections of this measure may apply immediately upon its approval.

Your Committees also acknowledge the concerns raised in testimony on February 1, 2023, pertaining to the rights of minors to consent to the provision of surgery or any treatment to induce abortion and your Committees find that there is a need to further amend this measure to reflect these additional findings. Moreover, to provide additional protections for advanced practice registered nurses, as was intended, your Committees find that certain portions of S.B. No. 890, Regular Session of 2023, should also be incorporated into this measure.

Finally, your Committees acknowledge testimony from the Hawaii Medical Board requesting that your Committees consider ensuring that physician assistants who perform abortions are authorized agents of their supervising physicians or physician group who have been authorized or delegated by the supervising physicians or physician group to perform the abortions. Your Committees note testimony stating that physician assistants are, by their scope of practice, already required to be under the supervision of physicians, and therefore, the Hawaii Medical Board's concern is already taken into account by statute.

Accordingly, pursuant to the amendments announced at the hearing conducted on February 1, 2023, as further amended at the hearing on February 14, 2023, your Committees have collectively amended this measure by:

- (1) Inserting the contents of section 1 of S.B. No. 896, S.D. 1, as section 1 of this measure, and amending it further to reflect this measure's amended purposes;
- (2) Clarifying that a patient has the right to choose to obtain an abortion, or to terminate a pregnancy if the termination is necessary to protect the life or health of the patient, and the State shall not deny or interfere with these rights;
- (3) Deleting language that would have provided protection to people who receive or perform abortions in the State against legal actions imposed by other states with restrictive abortion laws;
- (4) Deleting language that would have prohibited the State from engaging in certain actions with regard to civil and criminal actions from another state, including issuance of and enforcement of summons, subpoenas, and investigations related to reproductive health care;
- (5) Defining "nonviable fetus" as fetus that does not have a reasonable likelihood of sustained survival outside of the uterus;
- (6) Inserting the contents of section 3 of S.B. No. 890, Regular Session of 2023, which further clarifies that advanced practice registered nurses may provide abortion care;
- (7) Inserting the contents of sections 2 through 11 of S.B. No. 896, S.D. 1, which:
  - (A) Prohibits a covered entity from disclosing communication or information relating to reproductive health care services;
  - (B) Prohibits the issuance of a subpoena in connection with an out-of-state proceeding relating to reproductive health care services legally performed in the State;
  - (C) Prohibits agencies from providing information or expending resources in the furtherance of interstate investigations or proceedings relating to reproductive health care services;
  - (D) Prohibits the State from penalizing, prosecuting, or otherwise taking adverse action based on pregnancy outcomes or aiding or assisting a pregnant individual with accessing reproductive health care services;
  - (E) Requires the Governor to deny any demand for surrender of a person charged with a crime involving reproductive health care services unless the conduct constitutes a crime in the State;
  - (F) Enumerates laws contrary to public policy and prohibits their application as rules of decision in the courts;
  - (G) Prohibits the issuance of a summons for persons to testify in another state with regard to lawful reproductive health care services;
  - (H) Clarifies under various licensing statutes that the provision or assistance in receipt or provision of medical, surgical, pharmaceutical, counseling, or referral services related to the human reproductive system cannot form a basis for disciplinary action; and
  - (I) Prohibits the enforcement of a judgment or order arising from a foreign penal civil action or other penal law with respect to reproductive health care services;
- (8) Inserting language that amends the definition of "medical care and services" that a minor aged fourteen through seventeen inclusive, may consent to receive without any other person's consent to include surgery and any treatment to induce an abortion;
- (9) Making it effective upon its approval; and
- (10) 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 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. 1, as

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

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Shimabukuro).

Commerce and Consumer Protection: Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 652 (Joint) Labor and Technology and Government Operations on S.B. No. 284**

The purpose and intent of this measure is to:

- (1) Require the Technology Services Consolidation Working Group (Working Group) to:
  - (A) Decommission the Office of Enterprise Technology Services' (ETS) data center located in the Kalanimoku Building;
  - (B) Relocate the entire ETS data center to a single, standalone facility; and
  - (C) Use cloud storage for all state data;
- (2) Extend the dissolution date of the Working Group to June 30, 2028; and
- (3) Establish requirements for procurement contracts for information technology-related projects.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Office of Enterprise Technology Services, Servpac, and Transform Hawai'i Government. Your Committees received comments on this measure from the State Procurement Office and DR Fortress, LLC.

Your Committees find that ETS' primary data center at the Kalanimoku Building can no longer be brought to acceptable modern data center standards. In order for ETS to ensure the continued, uninterrupted provision of state services, your Committees find that the ETS' primary data center should be decommissioned and relocated to an interim primary, secure, and resilient facility.

Your Committees have amended this measure by:

- (1) Placing language that establishes requirements for procurement contracts for information technology-related projects under part X rather than part III, of the State Procurement Code;
- (2) Clarifying that the preference for cloud systems to be procured be physically located within the State;
- (3) Inserting a definition for "cloud servers and services";
- (4) Requiring the Working Group to make recommendations that include partnering with private providers and carriers;
- (5) Specifying that the ETS data center be relocated to an interim facility;
- (6) Updating the standards of the interim data center facility to include specific resiliency, sea level rise impact, and connectivity requirements;
- (7) Clarifying the specifications of the cloud computing to be used by the Working Group by June 30, 2026;
- (8) Amending section 1 to reflect its amended purpose;
- (9) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider inserting language that provides for the establishment of backup continuity equipment in a secondary geographically-diverse, secure, and resilient facility. It may also review the applicability of federal requirements regarding investments or ties with any countries listed in Export Administration Regulations Supplement No. 1 to Part 740 – Country Group D or E.

As affirmed by the records of votes of the members of your Committees on Labor and Technology and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 284, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 284, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Labor and Technology: Ayes, 4. Noes, none. Excused, 1 (Lee).

Government Operations: Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Wakai).

**SCRep. 653 Higher Education on S.B. No. 547**

The purpose and intent of this measure is to require the University of Hawaii's Board of Regents to approve by majority vote any designee selected to serve or participate for the Chairperson as a voting or nonvoting member of any legislatively established board, commission, working group, or task force.

Your Committee received comments on this measure from the Board of Regents of the University of Hawai'i System.

Your Committee finds that the Chairperson of the University of Hawaii's Board of Regents is often required to serve on various boards, commissions, working groups, and task forces established by the Legislature. Your Committee believes that, should the Chairperson be permitted to and elect to select a designee to serve or participate in place of the Chairperson, the designee should be approved by the Board of Regents. This measure will allow the Board of Regents to ensure that any designee selected by the

Chairperson of the Board of Regents is qualified to represent the University of Hawaii by requiring the University of Hawaii's Board of Regents to approve by majority vote any designee selected to serve or participate for the Chairperson as a voting or nonvoting member of any legislatively established board, commission, working group, or task force.

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. 547, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Fevella).

**SCRep. 654 Education on S.B. No. 531**

The purpose and intent of this measure is to authorize the School Facilities Authority to appoint an Executive Director and evaluate their performance annually.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the School Facilities Authority carries out an important mission to ensure the development, planning, and construction of all public schools in the State. However, for the School Facilities Authority to fulfill its mission to provide students, educators, and communities with high quality and healthy learning environments, the School Facilities Authority requires effective leadership.

Your Committee further finds that presently, the School Facilities Authority Executive Director is appointed by the Governor, with the advice and consent of the Senate. This process contrasts with other agencies administratively attached to the Department of Education, such as the Executive Office on Early Learning, the Charter School Commission, and the Hawaii State Public Library System, which appoint their Executive Director through an internal process. To promote uniformity, this measure authorizes the School Facilities Authority to appoint its Executive Director and evaluate the Executive Director's performance annually.

Your Committee has amended this measure by:

- (1) Clarifying that the School Facilities Authority Board, rather than the Authority itself, shall appoint the Executive Director;
- (2) Deleting language that would have required the School Facilities Authority Board to evaluate the Executive Director on an annual basis, as the responsibility is already set forth in existing law; 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. 531, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 531, S.D. 2, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Kanuha).

**SCRep. 655 Ways and Means on S.B. No. 295**

The purpose and intent of this measure is to establish and appropriate moneys for a Malama Ohana Working Group within the Governor's Office of Wellness and Resilience to recommended changes to the State's child welfare system.

Your Committee received written comments in support of this measure from the Office of Wellness and Resilience; Stonewall Caucus of the Democratic Party of Hawaii; Hawaii State Coalition Against Domestic Violence; Hawaii Youth Services Network; Hawaii Children's Action Network Speaks!; Converge Consulting, Training, and Research; EPIC Ohana, Inc.-HI HOPES Initiative; and numerous individuals.

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

Your Committee finds that the working group established by this measure will bring together invested partners, community members, and persons with lived experience to help address shortcomings in the State's existing child welfare system.

Your Committee notes that the Department of Human Services requested in its written comments that the working group be exempt from part I of Chapter 92, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Clarifying that the executive director of EPIC Ohana, Inc., or the executive director's designee and the chief executive officer of Hale Kipa, Inc., or the chief executive officer's designee, shall be invited to participate in the working group and serve as co-chairs of the working group; 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. 295, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 295, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Lee, Moriwaki).

**SCRep. 656 Ways and Means on S.B. No. 809**

The purpose and intent of this measure is to expand the scope of the electric bicycle and electric moped rebate program to include electric micro-mobility devices.

More specifically, this measure:

- (1) Renames the electric bicycle and electric moped rebate program as the electric mobility rebate program;
- (2) Expands the scope of the program to include electric micro-mobility devices and defines the term, "electric micro-mobility device;"
- (3) Establishes an additional rebate type under the program;
- (4) Changes the eligibility requirements for receipt of a rebate under the program; and
- (5) Appropriates moneys to the Department of Transportation for the operation of the program.

Your Committee received written comments in support of this measure from the Department of Transportation, Hawaii State Energy Office, Hawaii Bicycling League, Ulupono Initiative, and one individual.

Your Committee received written comments on this measure from PeopleForBikes.

Your Committee finds that providing additional rebates for the purchase of electric micro-mobility devices will help the State to more efficiently achieve its goal by 2045 of sequestering more atmospheric carbon and greenhouse gases than are emitted in the State.

Your Committee has amended this measure by:

- (1) Repealing, rather than amending, the existing electric bicycle and electric moped mobility rebate program and electric bicycle and electric moped subaccount of the highway development special fund;
- (2) Establishing a new electric mobility rebate program that enlarges the scope of the electric bicycle and electric moped mobility rebate program to also include electric micro-mobility services;
- (3) Inserting an appropriation for fiscal year 2022-2023;
- (4) Inserting language to clarify that the appropriations made for fiscal years 2022-2023, 2023-2024, and 2024-2025 shall lapse on June 30, 2024; June 30, 2025; and June 30, 2026, respectively;
- (5) Establishing an electric mobility special fund;
- (6) Changing the effective date of the appropriations for fiscal years 2023-2024 and 2024-2025 to July 1, 2051, and the effective date of the remaining provisions of this measure 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. 809, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 809, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Aquino, Kanuha, Lee).

**SCRep. 657 Ways and Means on S.B. No. 835**

The purpose and intent of this measure is to repeal statutory language relating to the Legislature's annual general fund budget appropriation to the University of Hawaii.

More specifically, the measure repeals section 304A-2101(a), Hawaii Revised Statutes, which provides that the appropriation amount shall be three to five times the university's estimated regular tuition and related fee revenues for that fiscal year.

Your Committee received written comments in opposition to this measure from the University of Hawaii and one individual.

Your Committee believes that the language of section 304A-2101(a), Hawaii Revised Statutes, merely provides guidance or an expression of intent from a previous Legislature to future Legislatures and thus does not require the current Legislature to appropriate funds to the University of Hawaii in any specific amount. This belief is based upon the well-established principle of constitutional law that a legislature may not enact a law that binds the exercise of legislative power by a subsequent legislature. Accordingly, your Committee finds that this statutory provision is ineffective, serves no meaningful purpose, and should be repealed to clarify the appropriation process and prevent potential future confusion.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 835 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Kanuha, Lee, Moriwaki).

**SCRep. 658 Ways and Means on S.B. No. 296**

The purpose and intent of this measure is to clarify the submission deadline for various reports that state agencies are required to submit to the Legislature.



More specifically, with respect to certain reports having no fixed submission deadline, the measure specifies that these reports shall be submitted to the Legislature no later than twenty days prior to the convening of each Regular Session, or no later than twenty days prior to the next Regular Session, depending on the type of report.

Your Committee received no written comments on this measure.

Your Committee finds that the establishment of specific submission deadlines for certain reports to the Legislature will provide greater certainty for the agencies that must prepare these reports and facilitate efforts to strengthen oversight and accountability of governmental activities.

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. 296, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 296, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Lee, Moriwaki).

**SCRep. 659      Ways and Means on S.B. No. 299**

The purpose and intent of this measure is to provide the Legislature with the authority to prescribe the forms in which budget requests shall be submitted by the executive branch, judiciary branch, and the Office of Hawaiian Affairs.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that providing the Legislature with the authority to prescribe the forms of certain budget requests will save time and help prevent clerical, typographical, and other errors that may occur in transcribing the requests.

Your Committee recognizes written comments from the Department of Budget and Finance, noting that budget requests for the executive branch are generated from the State's mainframe and the Department's budget eSystems programs and were specifically designed to meet existing statutory requirements. The Department expressed concerns that changes to the reports may require a substantial amount of time for reprogramming.

Your Committee has amended this measure by:

- (1) Making the measure effective upon its approval; 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. 299, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 299, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Lee, Moriwaki).

**SCRep. 660      Ways and Means on S.B. No. 795**

The purpose and intent of this measure is to provide flexibility for the motion picture, digital media, and film production income tax credit.

Specifically, this measure:

- (1) Requires that taxpayers claiming the motion picture, digital media, and film production income tax credit provide evidence of reasonable efforts to comply with the requirements under title 14, Hawaii Revised Statutes; and
- (2) Requires that taxpayers be given notice and an opportunity to cure any requirements for qualifying for the tax credit.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; IATSE Local 665; Island Film Group; Motion Picture Association; and fourteen individuals.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the language in subsections 235-17(d)(7) and (8), Hawaii Revised Statutes, added last year by section 3 of Act 217, Session Laws of Hawaii 2022, could have the effect of disqualifying a production from all of the available motion picture, digital media, and film production income tax credits because of one or a few relatively minor issues. This measure will help to ensure compliance with requirements to claim the tax credit.

Your Committee has amended this measure by clarifying that section 235-17(d), Hawaii Revised Statutes, does not waive any act required by the motion picture, digital media, and film production income tax credit 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. 795, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 795, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Kanuha, Lee, Moriwaki).

**SCRep. 661 Ways and Means on S.B. No. 1456**

The purpose and intent of this measure is to support agricultural activities in the State.

More specifically, the measure authorizes the issuance of special purpose revenue bonds of up to \$100,000,000 to assist Honoka'a Land Company, LLC, in acquiring, developing, and renovating various agricultural facilities, including:

- (1) Rebuilding structures for a soil and earth products business based at the Haina Mill;
- (2) Purchasing an agriculture consulting and research and development firm and farm to serve as a research and development facility;
- (3) Acquiring or building organic dairies;
- (4) Promoting green and renewable energy initiatives; and
- (5) Developing affiliated agricultural employee housing.

Your Committee received written comments in support of this measure from Honoka'a Land Company, LLC.

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 the agricultural initiatives proposed in this measure will enhance and support agricultural activities in the State and therefore merit the issuance of special purpose revenue bonds to assist Honoka'a Land Company, LLC, an agricultural enterprise, in implementing these initiatives.

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. 1456, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1456, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Lee, Moriwaki).

**SCRep. 662 Ways and Means on S.B. No. 1457**

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds to assist Kohala Mountain Fish Company, LLC, in establishing The Village project.

Your Committee received written comments in support of this measure from the Hawaii Department of Agriculture; Agribusiness Development Corporation; Department of Research and Development of the County of Hawaii; North Shore Economic Vitality Partnership; Kohala Mountain Fish Company, LLC; Ulupono Initiative; Hawaii Fish Company, Inc.; Kahua Pa'a Mua; and eight individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and Office of the Attorney General.

Your Committee finds that the project supported by this measure will help advance the State's food security and provide solutions to challenges that face the State's agriculture 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 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. 1457, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1457, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Lee, Moriwaki).

**SCRep. 663 Ways and Means on S.B. No. 93**

The purpose and intent of this measure is to promote the use of recycled water throughout the State.

More specifically, this measure:

- (1) Requires each nonpotable water user and developer of land within a certain distance of a wastewater treatment plant to use R-1 water for nonpotable water usage; and
- (2) Appropriates moneys to the Department of Land and Natural Resources to enforce R-1 water usage requirements and for the establishment of full-time equivalent positions within the Commission on Water Resource Management.

Your Committee received written comments on this measure from the Department of Health and Department of Land and Natural Resources.

Your Committee finds that water is a precious and finite natural resource requiring management through appropriate preservation and conservation efforts. Your Committee believes that by requiring the use of recycled water for nonpotable uses, this measure will help to reduce the use of potable water for nonpotable demands.

Your Committee has amended this measure by:

- (1) Clarifying that this measure applies to nonpotable water users and to developers of real property located within a certain distance of a wastewater treatment plant;
- (2) Inserting a definition for the term “R-1 water”;
- (3) Inserting language to clarify the purpose of this measure’s appropriation to establish full-time equivalent positions within the Commission on Water Resource Management;
- (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. 93, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 93, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Lee, Moriwaki).

**SCRep. 664 Ways and Means on S.B. No. 1317**

The purpose and intent of this measure is to facilitate access to high-speed broadband internet service.

Specifically, the measure:

- (1) Appropriates \$33,000,000 from state general funds to provide the matching funds required to receive federal funds for the Broadband Equity, Access, and Deployment (BEAD) Program;
- (2) Appropriates \$95,000,000 from the funds received by the State from the Infrastructure Investment and Jobs Act (IIJA) for the BEAD Program;
- (3) Appropriates an unspecified amount from state general funds for additional matching fund requirements for federal fund programs related to broadband;
- (4) Requires the Office of the Lieutenant Governor, rather than the University of Hawaii and Hawaii Broadband and Digital Equity Office, to convene the working group that was established pursuant to Act 231, Session Laws of Hawaii 2022, for the purpose of determining the appropriate governance structure to implement, operate, and maintain broadband infrastructure development in the State; and
- (5) Requires the Lieutenant Governor or a designee to serve as the Chair of the foregoing working group.

Your Committee received written comments in support of this measure from the Office of the Lieutenant Governor; Department of Business, Economic Development and Tourism; Department of Budget and Finance; Hawaii Primary Care Association; and Hawaiian Telcom.

Your Committee finds that access to high-speed internet is essential to enable Hawaii residents to engage in remote work and remote learning and to access telehealth and other critical services. Your Committee recognizes that several federal programs provide states with significant funding to improve broadband access, subject to states providing matching funds.

Your Committee has amended this measure by:

- (1) Changing the appropriation amounts in section 2 and section 3 of the measure to unspecified amounts to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive amendments for the purpose of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1317, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1317, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Lee, Moriwaki).

**SCRep. 665 Ways and Means on S.B. No. 1295**

The purpose and intent of this measure is to propose amendments to the Constitution of the State of Hawaii to:

- (1) Explicitly authorize political subdivisions, such as the counties, to issue tax increment bonds; and
- (2) Exclude tax increment bonds from the calculation of the debt limit of the political subdivisions.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Community Development 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 the Attorney General and Tax Foundation of Hawaii.

Your Committee finds that although section 46-104(2), Hawaii Revised Statutes, statutorily authorizes counties to issue tax increment bonds, this type of bond does not neatly fit within the categories of bonds that the Legislature may authorize a county to issue under article VII, section 12, of the Hawaii State Constitution. Your Committee further finds that passage of the constitutional amendment proposed by this measure would make clear a county's authority to issue tax increment bonds.

Your Committee has amended this measure by:

- (1) Amending the definition of the term "tax increment bonds" to clarify that the bonds are payable from and secured solely by the amount of real property taxes levied and collected by a political subdivision on the difference between:
  - (A) The assessed value of the taxable real property located within a tax increment district in a given year; and
  - (B) The assessed value of the taxable real property in the tax increment district during the year the tax increment district was created;
- (2) Clarifying, in the constitutional ratification question, that the tax increment district is established by the political subdivision; 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. 1295, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1295, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Kanuha, Lee, Moriwaki).

**SCRep. 666      Ways and Means on S.B. No. 821**

The purpose and intent of this measure is to appropriate moneys for the Department of Law Enforcement to purchase drones to monitor the use of illegal fireworks.

Your Committee received written comments in support of this measure from Poi Dogs and Popoki 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 Law Enforcement and one individual.

Your Committee finds that the illegal use of aerial fireworks in the State creates dangerous conditions for the affected communities. However, your Committee believes that Senate Bill No. 1339 presents a more appropriate approach to mitigate the illegal use of fireworks and explosives in the State.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting language from S.B. No. 1339 that establishes, and appropriates moneys for, an illegal fireworks task force to:
  - (A) Develop a strategic plan to stop the importation of illegal fireworks and explosives in the State;
  - (B) Promote compliance with the state fireworks control laws; and
  - (C) Ensure the safety and security of airports, harbors, and other facilities and institutions in the State against the discharge of illegal fireworks and explosives; 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. 821, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 821, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Kanuha, Lee, Moriwaki).

**SCRep. 667      Ways and Means on S.B. No. 302**

The purpose and intent of this measure is to facilitate the renovation of technology infrastructure in the State.

Specifically, the measure would achieve this purpose by:

- (1) Temporarily reinstating the technology infrastructure renovation tax credit; and
- (2) Expanding the definition of "technology-enabled infrastructure" to include data servers.

Your Committee received written comments in support of this measure from the Hawaii Technology Development Corporation, the Chamber of Commerce Hawaii, and Servpac.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that, among other things, Act 221, Session Laws of Hawaii 2001, established the technology infrastructure renovation tax credit to incentivize the growth of high technology businesses and associated industries in the State by defraying the cost of renovating commercial buildings with technology-enabled infrastructure. Your Committee notes that the tax credit has not been available since 2010. Your Committee further finds that technology has advanced since the tax credit was originally enacted, and that data centers and fiber optic networks are now driving forces that support the creation and growth of high technology businesses in Hawaii.

Your Committee has amended this measure by:

- (1) Clarifying the taxable years during which the technology infrastructure renovation tax credit shall be available; 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. 302, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 302, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Lee, Moriwaki).

**SCRep. 668      Ways and Means on S.B. No. 290**

The purpose and intent of this measure is to support Department of Education programs that provide instructional services directly to students.

Specifically, this measure:

- (1) Requires appropriations allocated to Department of Education programs that provide instructional services directly to students to remain within the budget of the program to which the funds were originally allocated;
- (2) Specifies that the retention of an appropriation pursuant to paragraph (1) shall not be used by the Department of Education as a basis for reducing the program's future budget requirements;
- (3) Requires temporary positions created by the Department of Education to provide instructional services directly to students; and
- (4) Requires the Department of Education to report the creation of temporary positions to the Legislature.

Your Committee received written comments in support of this measure from the HE'E Coalition.

Your Committee received written comments on this measure from the Department of Education.

Your Committee finds that moneys allocated to schools and programs that provide instructional services directly to students should not be reduced to fund the Department of Education's administration costs. Your Committee further finds that those schools and programs should be allowed to carry over a portion of their allocated funds to the following fiscal year.

Your Committee has amended this measure by:

- (1) Deleting the proviso that temporary positions created by the Department of Education must provide instructional services directly to students;
- (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. 290, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 290, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Lee, Moriwaki).

**SCRep. 669      Ways and Means on S.B. No. 428**

The purpose and intent of this measure is to facilitate the attainment of the State's goal to upgrade or convert all cesspools in the State by 2050.

Specifically, this measure requires each county to:

- (1) Develop a comprehensive integrated wastewater management plan and financial strategy specific to the county; and
- (2) Submit the plan and financial strategy to the Legislature prior to the convening of the Regular Session of 2024.

Your Committee received written comments in support of this measure from the Department of Health, Climate Change Mitigation and Adaptation Commission, Department of Environmental Management of the County of Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i REALTORS, Ulupono Initiative, and three individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that many cesspools in rural areas, particularly on the neighbor islands, may not be located where existing county infrastructure will allow for easy conversion and connection to a sewer system. Accordingly, your Committee finds that identifying required infrastructure improvements across all counties is a crucial step required for the eventual elimination of all cesspools 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. 428, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 428, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 670 Ways and Means on S.B. No. 318**

The purpose and intent of this measure is to require the Department of Health to establish and administer a five-year pilot program to implement a co-management system of care for the diagnosis and treatment of persons having fetal alcohol spectrum disorders.

Your Committee received written comments in support of this measure from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, Hawaii Fetal Alcohol Spectrum Disorders FASD Action Group, FASD United, Hawaii Substance Coalition, A Family Tree/Pono Roots Counseling Center, and numerous individuals.

Your Committee received written comments on this measure from the Department of Health.

Your Committee finds that this measure implements recommendations made in a 2009 report from the Department of Health that identified issues preventing the wider recognition and diagnosis of fetal alcohol spectrum disorders. Your Committee further finds that the pilot project established by this measure will help the State assess the needs of children and adults affected by fetal alcohol spectrum disorders and to integrate fetal alcohol spectrum disorder services into the State's systems of care.

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. 318, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 318, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 671 Ways and Means on S.B. No. 833**

The purpose and intent of this measure is to provide for the State's fee simple acquisition of the Wahiawa irrigation system.

More specifically, this measure:

- (1) Requires the Governor to negotiate for the State's fee simple acquisition of the Wahiawa irrigation system;
- (2) Authorizes the Department of Land and Natural Resources, Department of Agriculture, and Agribusiness Development Corporation to acquire certain real properties; and
- (3) Appropriates moneys to the Department of Land and Natural Resources, Department of Agriculture, and Agribusiness Development Corporation to manage and maintain the real properties acquired pursuant to this measure.

Your Committee received written comments in support of this measure from the Department of Agriculture; North Shore Neighborhood Board No. 27; Dole Food Company, Inc.; Hawaii Farm Bureau; Land Use Research Foundation of Hawaii; and Ulupono Initiative.

Your Committee received written comments on this measure from the Agribusiness Development Corporation and Department of Land and Natural Resources.

Your Committee finds that proper maintenance of the Wahiawa irrigation system is essential to agricultural irrigation, flood control, wastewater management, and public recreation in central Oahu. Your Committee therefore believes that the State's acquisition, repair, management, 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) Specifying additional real properties that the Department of Land and Natural Resources may acquire;
- (2) Changing the appropriations to unspecified amounts;
- (3) Clarifying the purpose of the four full-time equivalent (4.0 FTE) positions established pursuant to this Act; 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. 833, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 833, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none).

**SCRep. 672 Ways and Means on S.B. No. 1454**

The purpose and intent of this measure is to evaluate the potential use of therapeutic psilocybin in treating mental health conditions.

Specifically, the measure:

- (1) Establishes a therapeutic psilocybin working group within the Department of Health for administrative purposes only;
- (2) Requires the therapeutic psilocybin working group to examine scientific research and laws relating to the use of therapeutic psilocybin;
- (3) Requires the working group to 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;
- (4) Appropriates moneys for the therapeutic psilocybin working group for fiscal years 2023-2024 and 2024-2025; and
- (5) Dissolves the working group on June 30, 2025.

Your Committee received written comments in support of this measure from the Office of Wellness and Resilience; Aloha Green Holdings, Inc.; Clarity Project; Aloha Integrative Mental Health; Beyond Mental Health; Hawaii Psychological Association; Malama Mushrooms; Hawaii Substance Abuse Coalition; Honolulu Psychotherapy; and thirty-four individuals.

Your Committee received written comments on this measure from the Department of Health.

Your Committee recognizes that psilocybin has been effective in treating a number of mental health conditions, including depression, anxiety, post-traumatic stress disorder, and end-of-life psychological distress. Your Committee notes that the United States Food and Drug Administration designates the therapeutic use of psilocybin for treatment-resistant depression as a breakthrough therapy. Your Committee also notes that Oregon and Colorado have legalized the medicinal use of psilocybin. Your Committee believes that the State should consider whether the drug may be a useful tool in addressing various mental health conditions.

Your Committee has amended this measure by:

- (1) Requiring the working group to submit its report twenty days prior to the Regular Session of 2025, rather than 2024; 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. 1454, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1454, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 673 Ways and Means on S.B. No. 304**

The purpose and intent of this measure is to support the preservation and resiliency of Hawaii's natural resources.

Specifically, this measure:

- (1) Establishes a visitor impact fee program within the Department of Land and Natural Resources, through which visitors will be charged a fee for a license to visit state parks, forests, hiking trails, and other state natural areas; and
- (2) Establishes and appropriates moneys into and out of the visitor impact fee special fund.

Your Committee received written comments in support of this measure from the Office of the Governor, Kauai Climate Action Coalition, Wild Kids, Hawaii Green Fee, Surfrider Maui Chapter, Surfrider Foundation Hawaii Region, Hui Makaainana o Makana, Kupu, Resources Legacy Fund, Imua Alliance, The Nature Conservancy Hawaii, Climate Protectors Hawaii, Hawaii Reef and Ocean Coalition, Malama Learning Center, Hawaii Lodging and Tourism Association, The Trust for Public Land, Maui Hotel and Lodging Association, Sustainable Coastlines Hawaii, Hui o Ho'ohonua, and more than thirty individuals.

Your Committee received written comments in opposition to this measure from two individuals.

Your Committee received written comments on this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, Hawaii Tourism Authority, Tax Foundation of Hawaii, Maui Ocean Center, Kohala Coast Resort Association, Kauai Farm Planning, and two individuals.

Your Committee finds that there is an immediate need for additional resources to protect, restore, sustain, manage, and conserve the State's natural resources in response to escalating visitor impacts. Your Committee further finds that collecting a visitor impact fee has been suggested by the Hawaii Tourism Authority as a potential means to obtain these critical resources.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated into and out of the visitor impact fee special fund to unspecified sums;
- (2) Correcting a cross-reference;
- (3) Clarifying that certain administrative rules shall be adopted pursuant to chapter 91, 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. 304, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 304, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 674      Ways and Means on S.B. No. 1572**

The purpose and intent of this measure is to establish a new collective bargaining unit exclusively for employees of the City and County of Honolulu's Emergency Services Department.

Your Committee received written comments in support of this measure from the United Public Workers 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 City and County of Honolulu Department of Human Resources.

Your Committee finds that City and County of Honolulu Emergency Services Department employees face challenges that are not shared with other members of their current bargaining units and are therefore rarely addressed in collective bargaining negotiations. Establishing a bargaining unit exclusive to those employees will help them to address staffing shortages and other problems. Further, the establishment of a separate bargaining unit for employees of the City and County of Honolulu Emergency Services Department would treat these employees in a manner similar to firefighters, police officers, and lifeguards who are each currently represented by a unique bargaining unit.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1572, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 675      Hawaiian Affairs on S.C.R. No. 14**

The purpose and intent of this measure is to request the Office of Hawaiian Affairs to establish and maintain Hawaiian cultural centers within the State.

Your Committee received testimony in support of this measure from the Ko'olau Foundation.

Your Committee finds that Native Hawaiians and their rich and vibrant culture are what continues to make Hawaii unique and different from other places in the world. However, your Committee finds that despite the importance of Hawaiian culture in the State, there are no public spaces solely dedicated to the practice and perpetuation of Hawaiian culture. Therefore, this measure requests the Office of Hawaiian Affairs to establish and maintain Hawaiian cultural centers within 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 concurs with the intent and purpose of S.C.R. No. 14 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 676      Hawaiian Affairs on S.R. No. 12**

The purpose and intent of this measure is to request the Office of Hawaiian Affairs to establish and maintain Hawaiian cultural centers within the State.

Your Committee received testimony in support of this measure from the Ko'olau Foundation.

Your Committee finds that Native Hawaiians and their rich and vibrant culture are what continues to make Hawaii unique and different from other places in the world. However, your Committee finds that despite the importance of Hawaiian culture in the State, there are no public spaces solely dedicated to the practice and perpetuation of Hawaiian culture. Therefore, this measure requests the Office of Hawaiian Affairs to establish and maintain Hawaiian cultural centers within 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 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, 5. Noes, none. Excused, none.

**SCRep. 677      Judiciary on S.B. No. 487**

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.



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 487 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. 678 (Majority) Judiciary on S.B. No. 383**

The purpose and intent of this measure is to:

- (1) Require that any person who applies for an identification card or driver's license be automatically registered to vote; and
- (2) Require that the applicant be provided the opportunity to opt-out of voter registration.

Your Committee received testimony in support of this measure from the Americans for Democratic Action Hawai'i, League of Women Voters of Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from West Hawaii GOP and ten individuals. Your Committee received comments on this measure from the Office of Elections.

Your Committee finds that increased voter engagement and participation is beneficial to the civic health of the State. Act 126, Session Laws of Hawaii 2021, requires that a qualified state identification card and driver's license applicant choose whether to register to vote by opting-in. Provisions allowing applicants to affirmatively decline, or opt-out, to register to vote empower voters and ensure that only willing applicants will be entered into the voter registration database. This measure will automatically register a qualified applicant to vote and offer the applicant an opportunity to opt-out of voter registration.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 383 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, 1 (Awa). Excused, none.

**SCRep. 679 Judiciary on S.B. No. 160**

The purpose and intent of this measure is to lower the threshold blood alcohol concentration 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 National Transportation Safety Board; Department of Transportation; Department of the Prosecuting Attorney of the City and County of Honolulu; Office of the Prosecuting Attorney of the County of Hawai'i; Department of the Prosecuting Attorney of the County of Maui; Office of the Prosecuting Attorney of the County of Kaua'i; Honolulu Police Department; Hawai'i Alcohol Policy Alliance; Maui Coalition for Drug-Free Youth; East Hawai'i Drug-Free Coalition; Smart Start, LLC; Intoxalock; Keala Foundation; Alu Like, Inc; Maika'i Cleaners LLC; Foil Fever LLC and twenty-seven individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Kauai Beer Company, Lanikai Brewing Company, Wine Institute, and Hawaiian Craft Brewers Guild. Your Committee received comments on this measure from 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 hundreds of 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.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 160 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; Ayes with Reservations (San Buenaventura). Noes, none. Excused, none.

**SCRep. 680 Judiciary on S.B. No. 179**

The purpose and intent of this measure is to:

- (1) Rename the statewide and county-level Voters with Special Needs Advisory Committees to Elections Accessibility Needs Advisory Committees; and
- (2) Recognize that voting accessibility needs may arise from disabilities other than those of a physical nature.

Your Committee received testimony in support of this measure from the National Federation of the Blind Hawai'i, Disability and Communication Access Board, Office of Elections, Hawaii Disability Rights Center, Aloha Consultants, and three individuals.

Your Committee finds that statewide and county-level Voters with Special Needs Advisory Committees' revised name of Elections Accessibility Needs Advisory Committees is more consistent with the purpose to ensure that people with disabilities have equal and independent access to voter registration, casting of ballots, and all other Office of Elections services. Language is the basis of thoughts and attitudes about people with disabilities. This measure will ensure that the appropriate terminology is used for people with disabilities.

Your Committee notes that there are references to the phrase “special needs” in other chapters of the Hawaii Revised Statutes that need to be amended, however the title of this measure restricts your Committee from making those changes 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. 179 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. 681      Judiciary on S.B. No. 51**

The purpose and intent of this measure is to:

- (1) Increase the amount of fines that may be assessed against a noncandidate committee for violations of organizational report requirements;
- (2) Increase the amount of fines that may be assessed against noncandidate committees for violations of advertisement disclosure requirements; and
- (3) Increase the fines for advertisements paid by noncandidate committees making only independent expenditures.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and two 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 be increased to serve as an effective deterrent to candidate and noncandidate committees of various levels of financial resources from violating campaign spending laws. This measure will help restore faith and trust in the state government.

Your Committee has amended this measure by:

- (1) Removing the twenty-five percent cap on fines that may be assessed against noncandidate committees for violations of advertisement disclosure requirements;
- (2) Removing the twenty-five percent cap on fines for advertisements paid by noncandidate committees making only independent expenditures; 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 S.B. No. 51, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 51, 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. 682      Judiciary on S.B. No. 130**

The purpose and intent of this measure is to:

- (1) Allow state courts discretion to not enforce a child-custody determination of a foreign country if the law of the foreign country imposes capital punishment for apostasy, religious or political beliefs, or homosexuality, and a parent or child demonstrates risk of being subject to the law, and
- (2) Define “apostasy”.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai‘i, North Shore Ko‘olau Diversity Collection, Rainbow Family 808, and four individuals. Your Committee received testimony in opposition to this measure from the Commission to Promote Uniform Laws.

Your Committee finds that enforcing a foreign country’s child-custody determination that may result in the child or parents being subject to capital punishment in that country, would be highly unethical and may result in a possible death sentence to those impacted. Your Committee further finds that it must protect individuals’ human rights. This measure will ensure that individuals subject to child-custody law enforcement are not imprisoned or killed by another country based on their practice or beliefs.

Your Committee has amended this measure by:

- (1) Specifying that state courts have the discretion to not enforce a child-custody determination of a foreign country if the child-custody law of the foreign country imposes capital punishment for apostasy, religious or political beliefs, or homosexuality, and a parent or child demonstrates risk of being subject to the law;
- (2) Inserting an effective date of March 22, 2075, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 130, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 130, 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 (Elefante, Gabbard, San Buenaventura). Noes, none. Excused, none.

**SCRep. 683 (Majority) Judiciary on S.B. No. 141**

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's vote is invalidated.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Stonewall Caucus of the Democratic Party of Hawai'i, and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii Commission to Promote Uniform Legislation.

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) Aligns Hawai'i law with the Uniform Faithful Presidential Electors Act;
- (2) Requires presidential electors to take a pledge that they will vote for their party's nominee;
- (3) Invalidates the vote of any faithless elector;
- (4) Removes any faithless elector from the position of elector;
- (5) Provides procedures for the replacement of electors; and
- (6) Updates rules for certification of electors and their votes to be in full compliance with federal law.

Your Committee received testimony in support of the proposed S.D. 1 from the Hawaii Commission to Promote Uniform Legislation, League of Women Voters of Hawaii, Stonewall Caucus of the Democratic Party of Hawai'i, and two individuals.

Your Committee finds that ensuring the faithfulness of presidential electors is crucial to the State's democratic system of government. Your Committee notes that presidential and vice presidential candidates are elected not by the popular vote but rather by electors, who are themselves elected during general elections, and who select the president and vice president by a simple majority. Your Committee further finds that electors who do not cast votes for the candidates they were elected to vote for, thereby acting faithlessly, are acting in violation of democratic values by subverting the will of the people. Additionally, the potential exists for faithless electors to have a decisive effect upon a presidential election's outcome, especially when such an election is close. This measure will protect the choices for president and vice president made by the people of Hawaii during a presidential general election.

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. 141, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 141, 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 (Awa). Excused, none.

**SCRep. 684 Judiciary on S.B. No. 182**

The purpose and intent of this measure is to:

- (1) Establish that certain candidates shall file disclosures of financial interests no later than ten days after the nomination filing deadline;
- (2) Establish that the unauthorized release of confidential financial disclosure information is subject to chapter 84, Hawaii Revised Statutes; and
- (3) Amend the fines imposed and procedures relating to disclosures of financial interests.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission and two individuals.

Your Committee finds that current financial disclosure law requires legislators, employees, and candidates to file financial disclosure statements. Presently, failure to submit a financial disclosure results in a \$75 administrative fine, notification from the Hawaii State Ethics Commission, and an assessment of an additional \$10 per day fine for every additional day the financial disclosure remains unfiled. As the current process for financial disclosures is treated similarly to other ethics violations, the Hawaii State Ethics Commission must proceed through a contested case hearing process, a lengthy process that can become cumbersome if there are multiple outstanding unfiled financial disclosures. This measure streamlines the enforcement process for financial disclosure penalties to ensure efficiency while also maintaining accountability.

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. 182, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 182, 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. 685      Judiciary on S.B. No. 1212**

The purpose and intent of this measure is to:

- (1) Prohibit the practice known as “redboxing”, by prohibiting any campaign website for any candidate or candidate committee from containing information or manipulating content in any manner that is intended or designed to induce a noncandidate committee to use that content to make expenditures supporting the candidate or candidate committee in a manner suggested by the candidate or candidate committee; and
- (2) Require the Campaign Spending Commission to adopt rules.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that some candidates for elected office design their websites in a manner that is intended to solicit noncandidate committees, especially super political action committees, to publish or produce political advertisements and other materials that benefit those candidates. This campaign tactic, commonly known as “redboxing”, is intended to circumvent campaign finance laws that strictly prohibit candidates from coordinating with noncandidate committee political campaign efforts. This measure will help promote transparency and accountability in the State’s campaign spending laws.

Your Committee has amended this measure by:

- (1) Changing the intent requirement to a reasonable person standard;
- (2) Inserting an effective date of March 22, 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. 1212, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1212, 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. 686      (Majority) Judiciary on S.B. No. 483**

The purpose and intent of this measure is to update articles I through IV of the Uniform Probate Code to adjust for inflation, provide additional clarity, resolve issues that have arisen in probate practice, and address societal changes in familial relations.

Your Committee received testimony in support of this measure from the Judiciary and Commission to Promote Uniform Laws.

Your Committee finds that it is necessary to update articles I through IV of the Uniform Probate Code, with appropriate amendments to reflect Hawai‘i law and practice where relevant. Adopted in Hawai‘i in 1969 and last updated in 1996, the Uniform Probate Code is a national codification of the law of probate, which provides for greater clarity and uniformity in probate law and interpretation. This measure makes the necessary updates to the Uniform Probate Code.

Your Committee has amended this measure by:

- (1) Inserting an effective date of March 22, 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. 483, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 483, 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 (Awa). Excused, none.

**SCRep. 687      Judiciary on S.B. No. 1220**

The purpose and intent of this measure is to prohibit persons convicted of certain felony offenses against public administration from becoming a candidate for or holding public office for twenty years after the person’s final discharge.

Your Committee received testimony in support of this measure from the Campaign Spending Commission 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 the enhancement of criminal penalties for offenses involving public corruption is the most effective deterrence. Individuals who commit certain felonies may be perceived as being dishonest or unfit to hold public office. This measure will ensure the ethical integrity of public officials by preventing them from holding office for a sufficient duration after the person’s final discharge from certain felony convictions.

Your Committee has amended this measure by changing the twenty-year penalty from holding public office for certain felony offenses to a ten-year penalty.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1220, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1220, 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. 688      Judiciary on S.B. No. 1493**

The purpose and intent of this measure is to prohibit, during legislative sessions and shortly before and after, lobbyist contributions, and promises of contributions, to any elected official or to any candidate or candidate committee who has received contributions or made or incurred expenditures of more than \$100 in the applicable election period requiring the filing of an organizational report with the Campaign Spending Commission.

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

Your Committee finds that contributions made during legislative sessions, including extended sessions or special sessions, can create the perception that the contribution is, or is intended to, influence decisions being taken on pending legislation. Your Committee further finds that a number of states restrict or prohibit contributions from lobbyists during legislative sessions. Your Committee concludes that restricting lobbyists from donating, or promising to later donate, to an elected official during a legislative session and the five days before and after the session will further the goal of reducing undue influence and its appearance.

Your Committee has amended this measure by inserting an effective date of March 22, 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. 1493, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1493, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 689      Commerce and Consumer Protection on S.B. No. 395**

The purpose and intent of this measure is to require a seller or its agent in a residential real property transaction to disclose that the United States Postal Service cannot deliver mail or packages to the residential real property being offered for sale.

Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that the ability to receive and send mail from one's home is of considerable importance to a homeowner. Today, many residents obtain critical items using mail services, such as medication, or make online purchases for goods that are not readily accessible on every island of the State. However, your Committee finds that not all properties have a mailbox on the premises that is serviceable by the United States Postal Service, especially in rural areas. Therefore, this measure establishes that the inability of the United States Postal Service to deliver mail or packages is a material fact that shall be disclosed in a residential real property transaction.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 395, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 395, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

**SCRep. 690      Transportation and Culture and the Arts on S.B. No. 403**

The purpose and intent of this measure is to repeal the designation of black coral as the official gem of the State.

Your Committee received testimony in support of this measure from the Hawaii Reef and Ocean Coalition, Big Island Reef Keepers Hui, Friends of Hanauma Bay, and For the Fishes. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that Hawaii's coral reefs are vital to marine ecosystems and are home to many endemic and native species. Designated as the official gem of the State by Act 9, Session Laws of Hawaii 1987, black coral played a significant role in marketing campaigns showcasing Hawaii's beauty. However, the long-term promotion of Hawaii and its natural resources, including black coral, has led to increased commercial use of coral, contributing to the decline and degradation of coral reefs. This measure preserves one of the State's prized natural resources to ensure longevity and revitalization of coral reefs and marine ecosystems across 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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 403, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 403, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Inouye).

**SCRep. 691 Agriculture and Environment on S.B. No. 831**

The purpose and intent of this measure is to grant the Department of Agriculture the statutory power to own real, personal, or mixed property for immediate or future use.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, and one individual.

Your Committee finds that the success of ranchers and farmers in Hawaii is a key component to the State's goal of doubling local food production. Your Committee additionally finds that a flourishing agriculture sector in Hawaii requires adequate land availability and long-term leases at affordable and predictable lease rental rates. Thus, this measure authorizes the Department of Agriculture to acquire, acquire by grant, or purchase any real, personal, or mixed property to make available agricultural lands and long-term leases to farmers and ranchers, thereby enhancing the economic viability of Hawaii's agriculture 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. 831 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. 692 (Joint) Agriculture and Environment and Judiciary on S.B. No. 388**

The purpose and intent of this measure is to prohibit the construction, modification, or expansion of any waste or disposal facility for hazardous or solid waste on land that is near or above a significant aquifer as determined by the Department of Health, in consultation with the Commission on Water Resource Management.

Your Committees received testimony in support of this measure from the Board of Water Supply of the City and County of Honolulu, Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Farm Bureau, International Brotherhood of Electrical Workers Local Union 1186, and three individuals. Your Committees received comments on this measure from the Department of Health.

Your Committees find that ground water aquifers are precious natural resources that the people of Hawaii are dependent on to sustain life and well-being across the State. Your Committees additionally recognize that after the Red Hill jet fuel leak that contaminated Oahu's sole source aquifer and the Joint Base Pearl Harbor Hickam water system in November 2021, there is significant interest in protecting and preserving the aquifers throughout the State from any further potential toxic contamination. Thus, this measure provides greater protection of the State's valuable aquifers.

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 are in accord with the intent and purpose of S.B. No. 388 and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.  
Agriculture and Environment: Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.  
Judiciary: Ayes, 5. Noes, none. Excused, none.

**SCRep. 693 Judiciary on S.B. No. 1541**

The purpose and intent of this measure is to specify that Hawai'i voters are prohibited from casting more than one ballot during an election, even if one of those ballots is cast in an election outside of Hawai'i.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii and three individuals. Your Committee received testimony in opposition to this measure from West Hawaii GOP and six individuals. Your Committee received comments on this measure from two individuals.

Your Committee finds that existing law prohibits voters from voting again after having already voted. However, the law does not expressly address the possibility that a person could cast a single vote in Hawai'i and an additional vote in another state or territory of the United States. This measure will make it clear that Hawai'i voters can only vote once during an election and strengthen voter protection.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.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, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 694 (Majority) Judiciary on S.B. No. 45**

The purpose and intent of this measure is to authorize a school counselor, domestic violence victim advocate, or other mental health professional licensed by the State to petition for a protective order on a minor's behalf when the minor's parent or guardian is unable to submit a petition.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, and four individuals. Your Committee received comments on this measure from the Department of Education and Hawai'i State Coalition Against Domestic Violence.

Your Committee finds that adolescents in abusive romantic relationships that were entered into without parental approval may be reluctant to approach their parents for assistance. Some adolescents have the option of seeking the help of another trusted adult who is not their parent, such as a school counselor or domestic violence victim advocate. Trusted adults in the lives of adolescents may be able to help obtain a protective order when it is necessary for the adolescent's safety and protection.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 45, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 695      Judiciary on S.B. No. 236**

The purpose and intent of this measure is to:

- (1) Expand the victim-counselor privilege under the Hawaii Rules of Evidence to include confidential advocates employed by the University of Hawaii; and
- (2) Increase the minimum number of hours of training a domestic violence victims' counselor must complete to be considered a victim counselor.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Education Caucus of the Democratic Party of Hawai'i, Women's Caucus of the Democratic Party of Hawai'i, Every Voice Coalition Hawai'i, Hawai'i State Coalition Against Domestic Violence, Imua Alliance, American Association of University Women of Hawaii, and four individuals.

Your Committee finds that there is no mechanism that guarantees confidentiality to students and employees who seek confidential advocacy support within the University of Hawaii System as a result of sexual harassment, sexual assault, domestic violence, and stalking. According to testimony received by your Committee, Hawaii has one of the lowest training requirements for domestic violence advocates. This measure not only ensures that confidential advocates employed by the University of Hawaii provide confidentiality protections to students and employees who seek the counseling services of these campus-based advocates, but also better prepares domestic violence victims' counselors in the State to work with survivors of domestic violence in a trauma-informed and survivor-centered manner.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 236 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 696      (Majority) Judiciary on S.B. No. 105**

The purpose and intent of this measure is to change the Department of Education's quarterly report requirement on autism spectrum disorder to an annual report.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that the Department of Education is required to submit a quarterly report to the Legislature regarding, among other things, the number of students with autism spectrum disorder. However, your Committee finds that the current frequency of the report is burdensome and unnecessary, as there are few changes reflected between each quarterly reporting period. Therefore, this measure strikes a balance between the benefit of having the informational report and the associated workload required for its production.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 105 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 697      Judiciary on S.B. No. 158**

The purpose and intent of this measure is to establish that charging shipping and delivery charges that exceed the actual cost charged to the seller to ship or deliver a commodity to a consumer in the State shall constitute an unfair and deceptive practice.

Your Committee received testimony in support of this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii.

Your Committee finds that the State's consumers are often unfairly treated by online merchants' imposition of shipping costs as many of these retailers impose an arbitrary shipping cost that does not correlate with their actual cost of shipping. This measure addresses this improper practice to ensure that the State's consumers are not unfairly billed on shipping charges and are assessed only the actual cost of shipping, instead of a bogus rate that has nothing to do with the actual cost. Requiring a merchant to apply the actual shipping cost will facilitate transparency in consumer transactions and will help ensure that the State's consumers no longer fall victim to the arbitrary whims of online merchants in assessing shipping charges.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 158, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 698 Commerce and Consumer Protection on S.B. No. 1370**

The purpose and intent of this measure is to:

- (1) Establish a standard license to solemnize marriages, valid for one year from the date of issuance;
- (2) Establish a short-term license to solemnize marriages, valid for sixty days from the date of issuance;
- (3) Establish a fee of \$100 per year for the issuance of a standard license;
- (4) Establish a fee of \$25 per sixty-day period for a short-term license; and
- (5) Specify in what amount and to which fund license fees shall be deposited.

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 individual.

Your Committee finds that there are over twenty thousand marriage licenses issued in Hawaii each year that are performed by one of eleven thousand licensed individuals in the State. Extensive state resources are required to process licenses authorizing individuals to solemnize marriages, with costs absorbed by the State. However, individuals who solemnize marriages charge couples for services that range from \$100 to \$500 per ceremony, allowing licensed individuals to quickly recover the cost of a license. This measure establishes equity between religious and non-religious license terms and fees to solemnize marriages in the State to ensure efficiency of state services and the timely processing of marriage licenses.

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. 1370, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 699 Ways and Means on S.B. No. 283**

The purpose and intent of this measure is to provide equitable funding for all public school students.

Specifically, this measure excludes from the public charter school per-pupil funding calculation all amounts relating to programs that provide comparable benefits to all public school students, regardless of whether the student attends a Department of Education school or a public charter school.

Your Committee received written comments in support of this measure from the Hawaii State Teachers Association, Halau Ku Mana Public Charter School, 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 Hawaii State Public Charter School Commission.

Your Committee finds that this measure directs the Department of Education's Committee on Weights, when calculating the per-pupil amount for public charter schools, to not include amounts relating to programs that provide comparable benefits to students in both Department of Education schools and public charter schools.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 283 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 700 Ways and Means on S.B. No. 1535**

The purpose and intent of this measure is to authorize the Department of Transportation to exempt certain ground transportation facility plans from certain historic preservation requirements and the environmental impact statement law.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; City and County of Honolulu, Department of Transportation Services; Bikeshare Hawaii; Hawaii Bicycling League; and three individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received comments on this measure from Kauai Path, Inc., and one individual.

Your Committee finds that the exemptions established by this measure will help the Department of Transportation to more efficiently address the needs of the public when infrastructure improvements are necessary to accommodate non-motorized modes of travel.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1535, S.D. 1, and recommends that it pass Third Reading.



Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 701 (Majority) Commerce and Consumer Protection on S.B. No. 973**

The purpose and intent of this measure is to:

- (1) Require rental vehicle companies using state facilities to pay or reimburse the State to install new or utilize existing state electric vehicle charging infrastructure at public facilities beginning January 1, 2028;
- (2) Establish a task force to develop and implement electric vehicle charging infrastructure to support one hundred percent electric vehicle rental car fleets in the State by 2035; and
- (3) Require annual reports by the task force to the Legislature.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, Hawai'i Climate Change Mitigation and Adaptation Commission, Hawaii State Energy Office, Climate Protectors Hawai'i, Ulupono Initiative, and two individuals. Your Committee received comments on this measure from the Avis Budget Group, Enterprise Holdings, and two individuals.

Your Committee finds that many major vehicle manufacturers are planning to phase out the sale of new fossil fuel vehicles, with some states and nations having already set prohibitions for these vehicles by 2035. Your Committee additionally finds that the State is eager to quickly reduce carbon emissions and limit the use of new fossil fuel powered vehicles, particularly when considering that rental car fleets represent one of the largest passenger vehicle fleets in the State. However, Hawaii lacks sufficient electric vehicle charging infrastructure to support its zero emission goals. Thus, this measure establishes a task force to determine, develop, and implement electric vehicle charging infrastructure for rental car fleets and requires rental car companies to install charging infrastructure by leveraging public-private partnerships to help the State reach its net negative emission goals.

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. 973, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 973, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 702 Ways and Means on S.B. No. 646**

The purpose and intent of this measure is to respond to threats posed by plant pathogens to the commercial production of ornamental ginger.

More specifically, the measure appropriate funds to the University of Hawaii for:

- (1) Statewide research into ornamental ginger pathogens;
- (2) Prevention of the spread of these pathogens;
- (3) Production and distribution of pathogen-free ornamental ginger plants; and
- (4) Outreach to producers of ornamental ginger plants.

Your Committee received written comments in support of this measure from the University of Hawaii, Hawaii Farm Bureau, East Oahu County Farm Bureau, Land Use Research Foundation of Hawaii, Aina Ho'okupu o Kilauea, Waimanalo Agricultural Association, Hawaii Floriculture and Nursery Association, Hawaii Cattlemen's Council, and five individuals.

Your Committee finds that this measure's multi-faceted approach to addressing existing and emerging plant pathogens affecting the commercial production of ornamental ginger will help to control and prevent the spread of these pathogens and thus protect the health of ornamental ginger plants and their long-term sustainability as a floriculture product.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$125,000 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. 646, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 646, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 703 Ways and Means on S.B. No. 710**

The purpose and intent of this measure is to provide educational opportunities to incarcerated women to improve their post-release prospects.

More specifically, the measure:

- (1) Requires the McKinley Community School for Adults to work with Hawaii Friends of Restorative Justice to provide counseling services for incarcerated women participating in the education and reentry program for incarcerated women that is developed and administered by Hawaii Friends of Restorative Justice; and
- (2) Appropriates moneys for the education and reentry program.

Your Committee received written comments in support of this measure from the Department of Education, Department of Public Safety, University of Hawaii, Hawaii Friends of Restorative Justice, The Women's Prison Project, and two individuals.

Your Committee finds that providing funding to continue this successful program, which has helped incarcerated women achieve their educational goals and increase their passage rates for the General Educational Development test, will have positive impacts on incarcerated women and help to lower recidivism rates in the State.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$225,000 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. 710, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 710, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 704      Ways and Means on S.B. No. 898**

The purpose and intent of this measure is to temporarily expand the State Rent Supplement Program to provide additional assistance to qualified persons who are sixty-two years of age or older and homeless, or at imminent risk of becoming homeless.

Your Committee received written comments in support of this measure from the Executive Office on Aging, Disability and Communication Access Board, AARP Hawaii, Catholic Charities Hawaii, Partners in Care, and numerous individuals.

Your Committee received written comments on this measure from the Hawaii Public Housing Authority.

Your Committee finds that rising costs and elders' fixed incomes make elders especially vulnerable to homelessness. The rent assistance program established by this measure will help ensure that the State's at-risk kupuna have access to safe and affordable housing.

Your Committee notes that the Hawaii Public Housing Authority estimates that an appropriation of approximately \$1,000,000 and the creation of one full-time equivalent (1.0 FTE) Housing Specialist II position will be needed to serve approximately two hundred fifty households.

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. 898, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 898, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 705      Ways and Means on S.B. No. 1277**

The purpose and intent of this measure is to appropriate funds to satisfy claims against the State or its officers or employees for the overpayment of taxes, or for refunds, reimbursements, payments of judgments or settlements, or other liabilities.

Your Committee received written comments in support of this measure from the Department of Education, Department of the Attorney General, and Department of Transportation.

Your Committee finds that the State has a responsibility to promptly satisfy all claims against the State upon the resolution of those claims and that timely passage of this measure will help to minimize the State's obligation to pay interest that accrues on the claim amounts.

Your Committee has amended this measure by:

- (1) Including, at the request of the Department of the Attorney General, one additional claim that has been resolved and two miscellaneous claims for the reissuance of outdated checks that were misplaced or lost and for which a claim has been filed with the Attorney General in compliance with section 37-77, 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 record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1277, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1277, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 706      Ways and Means on S.B. No. 1354**

The purpose and intent of this measure is to authorize the Department of Hawaiian Home Lands to assume historic preservation review of the effect of certain proposed projects for lands under its jurisdiction.

The authorization requires the Department of Hawaiian Home Lands to:

- (1) Designate each review to a competent and experienced preservation officer;
- (2) Ensure that copies of certain documents are provided to the Department of Land and Natural Resources for incorporation into the historic preservation digital document management system and library;
- (3) Provide the Department of Land and Natural Resources with written notice of certain information; and
- (4) Consult with the Office of Hawaiian Affairs when reviewing historic properties that are important to Native Hawaiians.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands and one individual.

Your Committee received written comments in opposition to this measure from the Historic Hawaii Foundation.

Your Committee received written comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that state historic preservation law is important for the protection and management of the State's historic properties and burial sites. Your Committee further finds that the law requires the Department of Hawaiian Home Lands, before it proceeds with any proposed project relating to lands under its jurisdiction, to consult with the Department of Land and Natural Resources regarding the effect of the project upon a historic property or burial site. However, your Committee believes that authorizing the Department of Hawaiian Home Lands to assume review for certain projects, as proposed by this measure, would facilitate the review process without sacrificing the preservation of important historical and cultural resources.

Your Committee has amended this measure by:

- (1) Clarifying that the date upon which the Department of Hawaiian Home Lands will assume responsibility for project review shall be among the information included in the written notice that the Department of Hawaiian Home Lands provides to the Department of Land and Natural Resources;
- (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. 1354, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1354, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 707      Ways and Means on S.B. No. 629**

The purpose and intent of this measure is to require that contracts entered into by the Hawaii Tourism Authority for the management of the convention center facility also include marketing for the uses of the facility.

Your Committee received written comments in opposition to this measure from two individuals.

Your Committee received written comments on this measure from the Hawaii Tourism Authority.

Your Committee finds that combining the management and marketing contracts for the Hawaii Convention Center into one contract will help to ensure that the State receives the best value on the use of the moneys appropriated for the convention center.

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. 629, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 629, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 708      (Majority) Judiciary on S.B. No. 627**

The purpose and intent of this measure is to authorize election candidates 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 Campaign Spending Commission, Hawai'i Children's Action Network Speaks!, Vote Mama Foundation, and two individuals.

Your Committee finds that individuals who take on primary child and other dependent caregiving roles offer important, unique insights into policymaking. However, the high cost of child and dependent care may prohibit individuals, particularly those from working class backgrounds, from seeking office. Recognizing that child care obligations weigh heavily on an individual's decision to run for election, in 2018, the Federal Election Commission authorized federal candidates to spend campaign funds on child care expenses. This measure therefore aligns state statute with federal regulations to help support child caregivers running for office in the State and extend the same treatment to other vital household dependent caregivers.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 627 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 709 (Majority Judiciary on S.B. No. 455)**

The purpose and intent of this measure is to:

- (1) Extend the term of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission;
- (2) Require the Oversight Coordinator be subject to the advice and consent of the Senate;
- (3) Specify that the Commission shall take measures as necessary to maintain confidentiality in investigations; and
- (4) Broaden the Oversight Coordinator's power to make inquiries, obtain information, and inspect the premises of agencies and correctional facilities.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii Correctional System Oversight Commission, Community Alliance on Prisons, Hawai'i Health and Harm Reduction Center, and one individual. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that transforming a corrections system that has been focused on punishment and isolation to a more rehabilitative and therapeutic model will take time. Your Committee believes that a two-year term for the Oversight Coordinator of the Hawaii Correctional System Oversight Commission is insufficient to facilitate the transition of the corrections system to a rehabilitative and therapeutic model. This measure will support the creation of a more just and equitable corrections system by extending the term of the Oversight Coordinator, ensuring that a qualified person serves as the Oversight Coordinator, and granting the Commission the authority to hold meetings closed to the public when conducting investigations to maintain confidentiality.

Your Committee notes that various testifiers made valid points in their testimony regarding the scope of the exemption from open meeting requirements provided by this measure, and respectfully requests that these concerns be considered as this measure moves forward in the legislative process.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 455, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 710 Judiciary on S.B. No. 422**

The purpose and intent of this measure is to make a housekeeping amendment to section 341-6, Hawaii Revised Statutes, to delete a reference to a repealed section.

Your Committee received testimony in support of this measure from the State Environmental Advisory Council and Office of Planning and Sustainable Development.

Your Committee finds that Act 152, Session Laws of Hawaii 2021 (Act 152), repealed sections 341-3 and 341-4, Hawaii Revised Statutes, to facilitate the administrative transfer of the Environmental Advisory Council from the Department of Health to the Office of Planning and Sustainable Development. However, Act 152 neglected to repeal all references to these sections throughout the Hawaii Revised Statutes. Therefore, this measure removes the reference to section 341-4, Hawaii Revised Statutes, from section 341-6, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 422, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 711 Judiciary on S.B. No. 156**

The purpose and intent of this measure is to:

- (1) Require the Board of Education to hold not less than six community forums annually, with at least one community forum in each county;
- (2) Require the Board to include an open forum for public comments on non-agenda items; and

- (3) Require a report to the Legislature on implementing open forums.

Your Committee received testimony in support of this measure from the Office of Information Practices and one individual. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that the Board of Education's mission is to "promote excellence and equity in Hawai'i's public schools and enable all students to meet their own unique and varied potentials". Your Committee also finds that the Board strives to achieve its mission through the enactment of public policy. However, the ability to craft effective policy requires a full and robust understanding of the needs and concerns of parents, students, and families. This, in turn, requires ample opportunities for public input and participation. However, your Committee finds that under the existing law, the Board is required to hold just one community meeting annually in each county. Therefore, this measure will increase the opportunities for public participation by requiring the Board to hold at least six community forums annually.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 156, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 712      Judiciary on S.B. No. 107**

The purpose and intent of this measure is to:

- (1) Authorize a majority of the members of the Board of Education to elect a chairperson from among the members of the Board;
- (2) Authorize the members to annually elect a chairperson upon the start of the next confirmed term for members; and
- (3) Remove the requirement that the chairperson be an at-large member.

Your Committee received comments on this measure from the Board of Education.

Your Committee finds that in 2010, the Legislature passed H.B. 2376, H.D. 3, S.D. 2, C.D. 1, which proposed an amendment to the Hawaii State Constitution to change the Board of Education composition from one elected by voters to one appointed by the Governor. Hawai'i voters approved the constitutional amendment later that year. Presently, the Board of Education chairperson is selected from among the at-large members by the Governor. However, in periods of transition between administrations, a delay in the appointment of a Board of Education chairperson may affect official business. This measure stabilizes the Board of Education's leadership, especially in periods of transition, to ensure the continuation of policy that provides Hawai'i's keiki with a high quality education.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 107, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 713      (Majority) Judiciary on S.B. No. 54**

The purpose and intent of this measure is to:

- (1) Prohibit the operation of gasoline-powered leaf blowers in any urban land use district;
- (2) Increase the fine for offenses of leaf blower restrictions and provide for the forfeiture of gasoline-powered leaf blowers upon a third violation; and
- (3) Remove the exemption on leaf blower restrictions for government agencies.

Your Committee received testimony in support of this measure from the Department of Transportation and four individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii and two individuals. Your Committee received comments on this measure from the Department of Education and Department of the Attorney General.

Your Committee finds that gasoline-powered leaf blowers are a public nuisance. The obnoxious noise created by gasoline-powered leaf blowers annoys, awakens, and frustrates people, detracting from the general quality of life of those nearby. Further, operating at approximately ninety decibels, gasoline-powered leaf blowers can cause hearing loss after just two hours of exposure, which is an especially serious issue for landscape workers. Additionally, gasoline-powered leaf blowers contribute to carbon emissions. Your Committee finds that while perhaps efficient in its purpose, quieter and equally viable alternatives to gasoline-powered leaf blowers are available. Therefore, this measure prohibits the use of gasoline-powered leaf blowers in any urban land use 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. 54, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 714      Judiciary on S.B. No. 22**

The purpose and intent of this measure is to:

- (1) Prohibit landlords, including those operating in public housing and educational dorm settings, from renting a dwelling unit that the landlord knows has a current bed bug infestation; and
- (2) Establish procedures that landlords shall take upon receiving notice of an actual or suspected bed bug infestation.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority and one individual. Your Committee received comments on this measure from the United State Department of Housing and Urban Development, Hawaii Pest Control Association, and one individual.

Your Committee finds that bed bug infestations are a growing problem in the United States. The United States Department of Agriculture, Environmental Protection Agency, and the Centers for Disease Control and Prevention consider bed bugs a public health pest. Although the insects are not known to transmit disease, bites may itch and cause an allergic reaction in some people, which may lead to secondary infections. The presence of bed bugs may also contribute to stress or anxiety. By addressing the prevalence of possible bed bug infestations in rental units, the State can protect renters from an emerging public health problem.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 22, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 715      Judiciary on S.B. No. 7**

The purpose and intent of this measure is to make necessary amendments to clarify certain references to the school facilities authority used in section 302A-1151.1, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the School Facilities Authority.

Your Committee finds that occasionally statutes require clarifying amendments. Act 217, Session Laws of Hawaii 2021, replaced the terms “department”, “board”, or “board of education” with “school facilities authority” in section 302A-1151.1, Hawaii Revised Statutes. The amended statute, however, contains redundant and confusing references that need clarification. This measure will clarify certain references to “school facilities authority”.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 7 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 716      Judiciary on S.B. No. 1396**

The purpose and intent of this measure is to amend section 4 of Act 153, Session Laws of Hawaii 2018, to make permanent the requirements under section 329-38.2, Hawaii Revised Statutes, to check the electronic prescription accountability system in certain situations as enumerated.

Your Committee received testimony in support of this measure from the Department of Public Safety and Department of Law Enforcement.

Your Committee finds that Act 153, Session Laws of Hawaii 2018, requires that the State’s prescription database be reviewed before the prescribing of opioids under certain conditions. This policy was created as part of the State’s strong response to prevent the opioid epidemic from taking a strong hold in the State. Moreover, the comprehensive efforts to reduce opioid prescriptions in Hawai‘i have been successful. This measure will make permanent the requirements under section 329-38.2, Hawaii Revised Statutes, to review the electronic prescription accountability system in certain situations.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1396 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 (Awa).

**SCRep. 717      Judiciary on S.B. No. 739**

The purpose and intent of this measure is to:

- (1) Reduce the requisite state of mind for the criminal offense of desecration from “intentionally” to “knowingly”; and
- (2) Simplify the definition of “desecrate”.

Your Committee received testimony in support of this measure from the Council for Native Hawaiian Advancement.

Your Committee finds that the historic and cultural heritage of the State is among its important assets. Tourism benefits the State through generation of economic activity; however, there is a need to ensure that visitors and residents treat cultural and historic resources with care and respect, and that historic and cultural sites are protected from abuse, vandalism, and desecration. Therefore, your Committee finds that this measure will increase protection of the State’s assets and facilitate the enforcement of the prohibition of acts of desecration at sites that possess significant cultural and historic value.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 739 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. 718 (Majority) Judiciary on S.B. No. 47**

The purpose and intent of this measure is to:

- (1) Require candidate names to be randomized on individual ballots and randomly rotated across precincts;
- (2) Require the Office of Elections to inform voters and candidates, by a method suited for the voting system, that the names of candidates may not be in alphabetical order; and
- (3) Require that any new contract entered into by the Office of Elections for equipment or services relating to preparing ballots or counting votes include the capability to randomize the names of candidates appearing on the ballot if technologically possible.

Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Office of Elections and League of Women Voters of Hawaii.

Your Committee finds that numerous studies show that the candidate listed first on a ballot has an advantage. Under existing law, candidates' names are listed in alphabetical order from top to bottom, giving advantage to whomever's surname begins at the start of the alphabet. Therefore, your Committee finds that to ensure that candidates are not continually advantaged due to preferential ballot placement of their name, placement of candidate's names should be randomized.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 47 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; Ayes with Reservations (Elefante). Noes, 1 (Awa). Excused, none.

**SCRep. 719 Judiciary on S.B. No. 466**

The purpose and intent of this measure is to prohibit noncandidate committees from making expenditures on the day of any election and the two-week period preceding any election.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that allowing noncandidate committees to make expenditures on or around the day of an election could create the perception that the expenditures are for the purpose of influencing the outcome of the election. Your Committee further 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 imposes limitations on the making of certain expenditures, which will help to restore confidence in state elections.

Your Committee has amended this measure by specifying that a noncandidate committee shall also not make any contribution or disseminate any advertisements on the day of any election, nor during the two-week period preceding any election.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 466, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 466, 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. 720 Judiciary on S.B. No. 228**

The purpose and intent of this measure is to:

- (1) Establish the offense of fraud as a class B felony;
- (2) Establish the offense of making a false, fictitious, or fraudulent claim against the State or a county as a class C felony; and
- (3) Establish the offense of the use of false statements or entries in matters within the jurisdiction of the executive, legislative, or judicial branches of the State.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Campaign Spending Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Commission to Improve Standards of Conduct, and two 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 League of Women Voters of Hawaii.

Your Committee finds that the state laws should be amended to reflect the egregious nature of certain offenses, such as bribery, that involve a serious abuse of authority, or the betrayal of the public's trust to a heightened degree. Every day, thousands of dedicated government workers serve the public diligently and honorably, and their hard work and good reputation should not be marred by those who would selfishly seek their own profits. Therefore, criminal penalties should be enhanced for offenses involving public corruption. This measure will provide a mechanism to increase the public's trust and confidence in state and local government while providing law enforcement with a tool to adequately deter and commensurately punish acts of public corruption.

Your Committee has amended this measure by:

- (1) Incorporating changes proposed by the Department of the Attorney General by:

- (A) Deleting language that would have required that a person convicted for fraud be sentenced to a mandatory minimum term of imprisonment of one year, without the possibility of probation;
  - (B) Deleting language that would have prohibited any person charged with the offense of making a false, fictitious, or fraudulent claim from being eligible for a deferred acceptance of guilty plea or nolo contendere plea;
  - (C) Changing the requisite mindset for the offense of use of false statements or entries from “knowingly and willfully” to “intentionally or knowingly”;
  - (D) Clarifying that the offense of use of false statements or entries, includes the use of a false document if that document is being used in a way that the false information is being presented as true, or the false information is being used to substantiate a conclusion; and
  - (E) Making the use of false statements or entries a class C felony; 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. 228, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 228, 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. 721      Judiciary on S.B. No. 911**

The purpose and intent of this measure is to clarify that a prospective juror is disqualified to serve as a juror if they have been convicted of a felony and have not been finally discharged, in addition to not being pardoned.

Your Committee received testimony in support of this measure from the Office of Public Defender, Community Alliance on Prisons, Drug Policy Forum of Hawai‘i, Hawai‘i Health & Harm Reduction Center, and four individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that it is estimated that there are approximately four thousand nine hundred residents in Hawai‘i who have been convicted of felonies and served their sentence. Despite having served their sentence, existing law prevents these residents from serving on a jury, perpetuating the stigma that a convicted individual is incapable of reintegrating back into society. Your Committee believes it is in the best interest of Hawai‘i’s democratic system for the State to work toward affirming the rights of all individuals to be allowed fair and equitable participation in the State’s judicial system.

Your Committee has amended this measure by:

- (1) Amending legislative findings to specify that nineteen states and the District of Columbia allow individuals who have completed their incarceration for a felony are, after varying passages of time, eligible to serve on a jury, and four states: Colorado, Illinois, Iowa, and Maine, do not have any automatic exclusion of the right to serve on a jury;
- (2) Adding a definition of “finally discharged”; and
- (3) Inserting an effective date of January 1, 2024.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 911, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 911, 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. 722      Judiciary on S.B. No. 410**

The purpose and intent of this measure is to:

- (1) Require the court to automatically seal or remove from the Judiciary’s publicly accessible database any information relevant to the arrest or case of a person for whom an expungement order has been entered; and
- (2) Require the Judiciary and the Examiner of Drivers to no longer include dismissed traffic citations in public driver’s records.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Opportunity Youth Action Hawai‘i, Community Alliance on Prisons, and five individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that court records that have been dismissed or expunged from a person’s record may still be accessed by prospective employers, landlords, lenders, educational institutions, and others. Though dismissed or expunged, these records can be regarded negatively and have a significant and long-lasting impact on a person’s future. Your Committee further finds that there is no process currently available to request traffic citations that have been dismissed to be excluded from a person’s record, such as a traffic abstract. For a person who has received an expungement order, the current process to have their records and other information pertaining to the arrest or case sealed or removed from the Judiciary’s publicly accessible electronic database requires an additional petition. This measure will streamline the process for people who need their records to be expunged.

Your Committee has amended this measure by:

- (1) Adding legislative findings to explain the purpose of the measure;



- (2) Inserting language that prohibits dismissed traffic citations from appearing in the traffic abstract for all drivers, not just commercial drivers; and
- (3) Inserting an effective date of July 1, 2024.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 410, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 410, 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. 723 (Majority) Judiciary on S.B. No. 109**

The purpose and intent of this measure is to replace gender-specific terminology used in adoption and divorce matters with gender-neutral terminology.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, and nine individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that gender-inclusive language is a powerful way to promote gender equality and remove gender bias from this world. The usage of gender-neutral terminology allows individuals to have a safe space that does not perpetuate the exclusion of gender nonconforming individuals from the legal system. This, alone, empowers success, promotes inclusiveness, and demonstrates respect for all backgrounds. This measure will ensure that all individuals are recognized and respected in the legal system, regardless of their gender identity.

Your Committee has amended this measure by:

- (1) Incorporating the changes proposed by the Department of the Attorney General by:
  - (A) Replacing the references to "mother" with "birthing parent" and replacing the references to "father" with "non-birthing parent" throughout;
  - (B) Replacing the references to "stepfather" with "birthing parent's spouse" throughout; and
  - (C) Replacing the reference to "uncle and niece, aunt and uncle" with "a person and the person's biological sibling";
- (2) Inserting an effective date of March 22, 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. 109, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 109, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4; Ayes with Reservations (Gabbard). Noes, 1 (Awa). Excused, none.

**SCRep. 724 Judiciary on S.B. No. 789**

The purpose and intent of this measure is to:

- (1) Prohibit the construction of new farm dwellings on agricultural park lots beginning January 1, 2024; and
- (2) Prohibit residence within an unpermitted farm dwelling and authorize inspections for enforcement.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from Hydroponics Alternatives LLC and two individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that Hawai'i communities are suffering from various difficulties, including health and safety issues, caused by farm dwellings on agricultural park lots. Furthermore, your Committee recognizes that the concerns about farm dwellings stemming from their residential use are not only arising from community residents, but from farmers and ranchers as well. Your Committee believes that the well-being of the State's local citizens is of paramount importance, therefore, this measure aims to address dust, noise pollution, and other nuisances caused by the inappropriate usage of farm dwellings by authorizing comprehensive evaluations for current farm dwellings and establishing a date where new farm dwellings shall not be constructed on any agricultural park lot.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 789 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 725 Judiciary on S.B. No. 775**

The purpose and intent of this measure is to:

- (1) Require hunting guides who take their clients to hunt on private lands to first obtain written permission from the owner of the private land, or occupier or holder, where appropriate; and

- (2) Require hunting guides to provide copies of the written permissions obtained to hunt on private lands as part of their annual reports 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; Hawaii Cattlemen's Council, Inc.; and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that hunting access is important as a food source, recreation, and to remove unmanaged ungulates from the land. However, proper management of hunting is of paramount importance to ensure the safety of hunters and wildlife. Hunting guides are currently required to submit an annual report to the Department of Land and Natural Resources within thirty days of their guide license expiration. The addition of a written permission form to be submitted with the annual report for hunts guided on private lands would not only provide greater accountability, but the additional form would not be an administrative burden to the State. This measure creates greater accountability of hunting guides who lead hunts on private lands while also ensuring continued hunting access 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. 775, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 726      Judiciary on S.B. No. 671**

The purpose and intent of this measure is to:

- (1) Exclude from the definition of drug paraphernalia, testing products utilized in determining whether a controlled substance contains chemicals, toxic substances, or hazardous compounds in quantities that can cause physical harm or death, including but not limited to fentanyl test strips; and
- (2) Define "fentanyl test strip".

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Health and Harm Reduction Center, Drug Policy Forum of Hawai'i, and four individuals.

Your Committee finds that there were seventy-four fatal opioid poisonings in the State in 2021, of which fifty were linked to synthetic opioids, including fentanyl. Fentanyl test strips may be useful to determine if drugs were mixed with fentanyl and help to prevent deadly overdoses. This measure will aid the State in the ongoing opioid crisis by providing greater awareness to the community of the illicit drug supply and necessary steps to prevent and reduce overdoses.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 671, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 727      Judiciary on S.B. No. 655**

The purpose and intent of this measure is to give authority to the Department of Agriculture to align state hemp production administrative rules with federal law, with regard to exemptions for fiber, fuel, and seed grain hemp crops.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Hemp Farmers Association, Hawaiian Choice, Agripelago, Hawai'i Farm Bureau, Hawai'i Farmers Union United, and two individuals. Your Committee received comments on this measure from Hawai'i Sustainable Farms.

Your Committee finds that hemp continues to provide an opportunity for farmers to diversify and expand agriculture production into new areas. Despite this, overregulation slows the growth of the hemp industry, which otherwise could foster sustainable resources and food security in the State. This measure will support and grow Hawai'i's hemp industry by giving the Department of Agriculture the authority to align certain state hemp production administrative rules with federal 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. 655, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 728      (Majority) Judiciary on S.B. No. 372**

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 unnecessary or excessive force on an arrestee;
- (2) Requiring the law enforcement officer to report the incident to the fellow law enforcement officer's supervisor; and
- (3) Requiring relevant departments to submit annual reports to the Legislature.

Your Committee received testimony in support of this measure from the Honolulu Police Department 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 building trust with the community is fundamental to effective policing. However, that integral trust has been shaken recently due to several national high profile killings of unarmed young black men and women by law enforcement officers through the use of excessive and unreasonable force. Your Committee further finds that establishing a duty to intervene for law enforcement officers who observe instances of excessive force will provide accountability for police misconduct. Your Committee finds that, while the county police departments may currently have policies and procedures in place to ensure that law enforcement officers intervene when they reasonably believe that another officer is using unnecessary force, this measure will serve to enshrine that duty in statute and help rebuild public confidence and trust, improve community interactions, and ensure that all citizens are held equal under the 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. 372, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 729      Judiciary on S.B. No. 346**

The purpose and intent of this measure is to make it discretionary for authorized emergency vehicles to use sirens when responding to an emergency or in other specified situations if the siren is not reasonably necessary under the circumstances.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers, Liliuokalani Gardens Association of Apartment Owners, and three individuals.

Your Committee finds that providing emergency responders with the flexibility to use their sirens in certain situations will alleviate noise pollution; decrease any unnecessary disturbance of citizens, especially in high-density residential areas at night when the streets are empty of cars and pedestrians; and curb unnecessary traffic situations and panic.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 346, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 730      (Majority) Judiciary on S.B. No. 316**

The purpose and intent of this measure is to establish additional penalties for dog owners whose dog destroys property while on land zoned for agricultural use.

Your Committee received testimony in support of this measure from the Hawaii Cattlemen's Council, Inc. and one individual.

Your Committee finds that dogs that are unleashed or improperly secured can wander onto farms and other lands zoned for agricultural use and cause harm to a landowner's property, which may include sheep, cattle, goats, hogs, and chickens. Your Committee further finds that a penalty is necessary to act as a deterrent against irresponsible dog owners and to protect farmers and landowners from the unnecessary burdens caused by unleashed or improperly secured dogs. Therefore, this measure establishes a fine for damages to property caused by dogs on land zoned for agricultural use.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 316 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 731      Judiciary on S.B. No. 214**

The purpose and intent of this measure is to establish the offense of interference with the operation of a public transit vehicle.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and Department of Transportation Services of the City and County of Honolulu. 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 many people rely on accessible public transit to participate in education, employment, health care, housing, and community life. Damage to accessible public transit vehicles may force transit agencies to take a vehicle out of service. This measure will maintain public transit services for everyone by protecting public transit vehicles from intentional damage.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 214, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 732      Judiciary on S.B. No. 74**

The purpose and intent of this measure is to:

- (1) Establish additional exclusions from the definition of "development" in chapter 205A, Hawaii Revised Statutes, to reduce the need for special management area permits for certain activities;
- (2) Repeal the seven thousand five hundred square foot threshold relating to the exclusion of single-family residences from the definition of "development"; and

- (3) Authorize the counties to further define single-family residence by ordinance for purposes of “development”.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, Hawai‘i State Association of Counties, Office of the Mayor of the County of Maui, and one member of the Maui County Council.

Your Committee finds that the current statutory definition of “development” is broad and can result in a special management area use permit review being needed for projects that may not warrant the economic burdens of the rising costs of labor, building materials, and delays that accompany it. Your Committee further finds that the expansion of exclusions from the definition of “development” in existing law will ultimately help facilitate projects that are intended to preserve and protect Hawai‘i’s natural and cultural resources. This measure will assist in expediting the special management area permits process to avoid the increasing costs of labor and materials. Additionally, this measure will also advance the timely approval of significant projects, including the improvements of pedestrian and bicycling infrastructure, environmental and wildlife protection, and security at public facilities.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 74, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 733      Judiciary on S.B. No. 16**

The purpose and intent of this measure is to require that the Hawaiian version of a law be held binding if the law in question was originally drafted in Hawaiian and then translated into English.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, and two individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that language is the carrier of culture. When cultures are vastly different, incongruence is often prevalent in the interpretation of one language by the other. ‘Ōlelo Hawai‘i, the Hawaiian language, is an enigmatically poetic language that invokes metaphor and kaona, hidden meaning, which pose a formidable challenge to interpret without a deep understanding of Native Hawaiian culture. Current law provides that the English version of a law is binding whenever there is any radical and irreconcilable difference between the English and Hawaiian version of any laws of the State. This measure brings further parity to both languages by recognizing ‘Ōlelo Hawai‘i as the original language of the land while also ensuring the continuity of the State’s legal tradition and history.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 16 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 734      Judiciary on S.B. No. 921**

The purpose and intent of this measure is to clarify that no statute of repose shall affect a condominium association’s right of action against a condominium developer sooner than two years after the period of developer control terminates.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that a condominium association’s right of action against a developer is expressly tolled during the period of developer control pursuant to section 514B-141(c), Hawaii Revised Statutes (HRS). In other words, the two-year statute of limitations period will not begin to run against a condominium association until the developer terminates control, ensuring that a condominium association will not lose its right to sue for design or construction defects if a developer purposefully maintains control for a period longer than two years.

However, your Committee also finds that section 514B-141(c), HRS, does not directly address the effect of the statute of repose contained in section 657-8, HRS, which relates to damages based on construction improvements. Your Committee further finds that this ambiguity could lead courts to interpret section 514B-141(c), HRS, to apply only to the statute of limitations and not to the statute of repose. Your Committee finds that the same rationale for tolling the statute of limitations until developer control terminates exists for the statute of repose. Therefore, this measure clarifies the existing law and preserves the rights of condominium associations to sue.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 921 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 735      (Majority) Commerce and Consumer Protection on S.B. No. 442**

The purpose and intent of this measure is to:

- (1) Authorize advanced practice registered nurses, in addition to physicians, to provide services under the Our Care, Our Choice Act (OCOCA) in accordance with their scope of practice and prescribing authority;
- (2) Authorize advanced practice registered nurses, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient for purposes of the OCOCA;

- (3) Reduce the mandatory waiting period required by the OCOCA, between a patient's oral requests from twenty days to five days; and
- (4) Waive the mandatory waiting period for those terminally ill individuals not expected to survive the mandatory waiting period under the OCOCA, subject to certain conditions.

Your Committee received testimony in support of this measure from the Department of Health, Board of Nursing, Compassion and Choices, American Nurses Association in Hawai'i, Hawai'i Association of Professional Nurses, Hawaii Society of Clinical Oncology, Hawai'i Pacific Health, Hawai'i Psychological Association, Hawaiian Islands Association for Marriage and Family Therapy, Kūpuna Caucus of the Democratic Party of Hawai'i, and forty individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawai'i State Center for Nursing.

Your Committee finds that the OCOCA allows terminally ill individuals to request and receive prescription medication that allows them to end life in a peaceful, humane, and dignified manner. Your Committee further finds that since the OCOCA was enacted, a shortage of physicians on the neighbor islands has unintentionally created barriers and burdens to receiving timely care. Furthermore, evidence from other medical-aid-in-dying authorized states demonstrates that even with full access to a supportive health care facility and providers, a high percentage of terminally ill individuals die while waiting to complete the legal requirements to qualify for medication under the respective state laws. Hawaii's waiting periods are the longest among the states that have enacted medical-aid-in-dying laws. Therefore, this measure amends the OCOCA to ease these barriers while maintaining the safeguards intended to protect patients.

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. 442, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 736 Commerce and Consumer Protection on S.B. No. 473**

The purpose and intent of this measure is to exempt drug manufacturers, wholesale prescription drug distributors, and third-party logistics providers of home dialysis drugs, supplies, and devices from the license, registration, and permit requirements for pharmacies, under certain conditions.

Your Committee received testimony in support of this measure from Liberty Dialysis-Hawaii. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Board of Pharmacy.

Your Committee finds that patients who need dialysis may have the option to obtain treatment in the comfort of their own home rather than at an outpatient dialysis center. Home dialysis provides greater scheduling flexibility, fewer food restrictions, and better patient outcomes. Additionally, home dialysis treatments can also be completed in longer, more frequent sessions that are gentler on the patient. To provide dialysis patients with an improved quality of life, this measure will promote increased access to care for home dialysis drugs and devices 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 is in accord with the intent and purpose of S.B. No. 473, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5; Ayes with Reservations (McKelvey, Richards). Noes, none. Excused, none.

**SCRep. 737 Commerce and Consumer Protection on S.B. No. 599**

The purpose and intent of this measure is to:

- (1) Allow certain physician assistants to sign orders for respiratory therapy and plans of care; and
- (2) Expand the class of health care providers under whom respiratory therapists may practice respiratory care to include osteopathic physicians, physician assistants, and advanced practice registered nurses.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Board of Nursing, Hawaii Medical Board, Hawai'i Academy of Physician Assistants, Hawai'i Association of Professional Nurses, Hawai'i State Center for Nursing, Hawai'i Pacific Health, Kaiser Permanente Hawai'i, and two individuals.

Your Committee finds that, to provide patients in the State with high quality care despite the State's chronic provider shortage, it is crucial that the scopes of practice of health care providers reflect the full extent of their training and capabilities. Your Committee further finds that physician assistants and advanced practice registered nurses are credentialled to provide critical care to both adults and children, and are educated, trained, and authorized to write orders to manage ventilators. Your Committee also finds that federal regulations allow qualified non-physician health care providers, including physician assistants and advanced practice registered nurses, to order respiratory therapy for patients to be implemented by respiratory therapists, but existing state law prohibits them from prescribing, ordering, or directing respiratory care services. This measure aligns state law with federal standards to provide greater access to respiratory health care services for the residents of 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 is in accord with the intent and purpose of S.B. No. 599, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 738 Commerce and Consumer Protection on S.B. No. 608**

The purpose and intent of this measure is to:

- (1) Require pharmacies to:
  - (A) Provide accessible prescription drug label information to individuals who have difficulty seeing or reading standard printed prescription drug container labels; and
  - (B) Inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels; and
- (2) Require the Board of Pharmacy to adopt certain rules by December 31, 2023.

Your Committee received testimony in support of this measure from the Hawaii State Committee of Blind Vendors, National Federation of the Blind of Hawaii, National Organization of Parents of Blind Children, and nine individuals.

Your Committee finds that regulation of prescription drug labels is largely a state, not a federal, responsibility. Your Committee also finds that existing state law requires dispensing pharmacies to label each prescription drug container with specific information that identifies the drug and provides information necessary for health and safety. However, individuals with low vision or blindness may experience difficulty in reading the labels, leading them to inadvertently take the wrong type of medication, the wrong dosage at the wrong time or under the wrong instructions, thereby endangering their health and safety. This measure addresses this concern by requiring pharmacies to provide prescription drug label information in alternate formats accessible to individuals who are unable to effectively read standard prescription labels.

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. 608, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 739 Ways and Means on S.B. No. 1291**

The purpose and intent of this measure is to increase the resiliency of state facilities to climate change and sea level rise.

Specifically, this measure requires the Office of Planning and Sustainable Development, in cooperation with each state agency having operational responsibilities over state facilities, to develop a standardized process for assessing the vulnerability of state facilities to sea level rise, including:

- (1) A standardized procedure and template; and
- (2) Guidance to agencies for conducting the vulnerability assessments.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Land and Natural Resources; University of Hawaii; Climate Change Mitigation and Adaptation Commission; Office of Planning and Sustainable Development; Environmental Caucus of the Democratic Party of Hawaii; Wild Kids; Imua Alliance; and one individual.

Your Committee finds that approximately two hundred seventy-five facilities within the sea level rise exposure area are owned and managed by twenty different state agencies. Your Committee further finds that this measure will assist the State in prioritizing future capital improvements required to adapt to sea level rise.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1291, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 740 Ways and Means on S.B. No. 1161**

The purpose and intent of this measure is to require the State to pay military personnel called to active duty, without delay and at the same rate as their active duty counterparts, and to provide them with a basic housing allowance.

Your Committee received no written comments on this measure.

Your Committee finds that this measure will ensure that military members who are ordered to active duty to assist the State during times of disaster receive equitable and timely pay and 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. 1161, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 741 Ways and Means on S.B. No. 784**

The purpose and intent of this measure is to establish and appropriate moneys for a one-year airline subsidy pilot program at Molokai airport to assist airlines in offsetting the costs of operation.

Your Committee received written comments in support of this measure from Maui Chamber of Commerce and one individual.

Your Committee received written comments in opposition to this measure from three individuals.

Your Committee received written comments on this measure from the Department of the Attorney General and four individuals.

Your Committee finds that incentivizing the provision of air transport services to Molokai will help to offset the airfare costs borne by those Molokai residents who must travel to and from the island.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 784, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 742 (Majority) Commerce and Consumer Protection on S.B. No. 385**

The purpose and intent of this measure is to establish registration requirements and driver's licensing requirements for the operation of electric rickshaws.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that there is a growing need for cost-effective transportation alternatives to combat rising fuels costs and curb vehicle carbon emissions in the State. Your Committee further finds that the electric rickshaw, also known as the tuk-tuk or e-tuk, is a popular and commonly used vehicle in India and other Southeast Asian nations that readily provide transport, taxi, and delivery services for visitors and residents. This measure allows for individuals or parties to register and operate an electric rickshaw on a public street, road, or highway in the State with a valid type 3 driver's license and sets certain safety requirements and parameters regarding the operation of electric rickshaws.

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. 385, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 743 Judiciary on S.B. No. 18**

The purpose and intent of this measure is to require domestic and foreign corporations to provide their shareholders with reports of independent expenditures and political contributions.

Your Committee received comments on this measure from the Hawaii Bankers Association.

Your Committee finds that the State's corporate reporting requirements deter actual corruption by corporations attempting to circumvent reporting and disclosure requirements and enable corporations to avoid the appearance of corruption by exposing the source of contributions and expenditures. Shareholders may use this information to file derivative suits. Your Committee further finds that corporate reporting requirements provide a means of detecting violations of valid contribution limitations and preventing circumvention of the State's campaign spending limitations, including rules that bar contributions by foreign corporations. This measure will provide additional scrutiny of compliance with reporting and disclosure requirements.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 18, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 744 Judiciary on S.B. No. 465**

The purpose and intent of this measure is to authorize qualifying patients and qualifying out-of-state patients to transport cannabis between islands of the State for personal medical use; provided that no individual or entity shall be required to violate federal law.

Your Committee received testimony in support of this measure from the Drug Policy Forum of Hawai'i, Akamai Cannabis Consulting, 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 Transportation and Department of Health.

Your Committee finds that patients sometime need to travel interisland with their medical cannabis in order to get treatment for their health. This measure will specifically allow qualifying patients to travel interisland with their medical cannabis.

Your Committee has amended this measure by:

- (1) Specifying that no individual or entity shall be required to violate federal law with regard to the interstate transport of cannabis;
- (2) Specifying that state law and its protections apply only within the jurisdictional limits of the State, which extend twelve nautical miles from the perimeter of each island and connect Oahu, Maui, Molokai, Lanai, and Kahoolawe;
- (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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 465, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 465, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 745 (Majority) Judiciary on S.B. No. 353**

The purpose and intent of this measure is to clarify that when trespass involves public land, all state and county law enforcement officers are authorized to and shall enforce trespass laws, without regard to whether the land is owned by the State or by a county.

Your Committee received testimony in support of this measure from the Hawai'i State Public Library System and University of Hawai'i System. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that jurisdictional uncertainties have limited cooperation between county and state law enforcement officers to effectively remove trespassers from public property. This measure will make it clear that either state or county law enforcement can enforce trespass violations regardless of which governmental entity owns or controls a parcel of public land.

Your Committee has amended this measure by:

- (1) Adding language that specifies that this measure shall not affect native Hawaiian traditional and customary rights as set forth in the Hawaii State Constitution;
- (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 S.B. No. 353, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 353, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 746 (Majority) Judiciary on S.B. No. 224**

The purpose and intent of this measure is to:

- (1) Allow for noise control infractions to be processed under the traffic and emergency period infractions adjudication process; and
- (2) Grant the District Court concurrent jurisdiction over noise control infractions committed by minors.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Office of the Mayor of the City and County of Honolulu, 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 one individual. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that many living in urban and high-density areas make legitimate noise complaints quite frequently. Each county has adopted noise control ordinances, violations of which result in the issuance of a citation. The State currently has an expedited adjudication process for similar citations issued for violations of traffic and emergency period infractions. This measure will provide an extra tool for county police officers to expedite the adjudication of noise control infractions and maintain acceptable living standards for the residents of the State.

Your Committee has amended this measure by:

- (1) Clarifying that the preaddressed envelope included with the notice of traffic infraction, notice of emergency period infraction, or notice of noise control infraction be directed to the traffic violations bureau of the applicable district court; 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. 224, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 224, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 747 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 490**

The purpose and intent of this measure is to appropriate monies to the Department of Law Enforcement to hire law enforcement officers dedicated to investigating complaints, conducting investigations, and cooperating with enforcement authorities to ensure compliance with all state laws and rules and county ordinances on Hawaiian home lands.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands. Your Committees received comments on this measure from the Department of Law Enforcement.



Your Committees find that illegal activity occurring on Hawaiian home lands threatens the health and safety of the community. Responses to these issues by law enforcement, however, are inconsistent across the different counties. This measure appropriates monies to hire law enforcement officers dedicated to the Hawaiian home lands, which will allow for better coordination between state and county law enforcement and sufficient enforcement personnel for the Hawaiian home lands.

Your Committees have amended this measure by:

- (1) Adding language to provide that the law enforcement officers hired, though dedicated to the Hawaiian home lands, shall not be prohibited from exercising their law enforcement authority outside of the Hawaiian home lands; and
- (2) Inserting an effective date of March 22, 2075, to encourage further discussion.

Your Committees note that the Senate Draft 2 of this measure contains an unspecified appropriation amount. Should subsequent committees to which this measure is referred choose to deliberate on this measure, your Committees respectfully request that consideration be given to inserting an appropriation amount of \$1,132,000 for twelve full-time equivalent (12.0 FTE) law enforcement officers.

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. 490, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 490, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Lee, Moriwiki).

**SCRep. 748 Commerce and Consumer Protection on S.B. No. 504**

The purpose and intent of this measure is to prohibit the manufacture, sale, offer for sale, distribution for sale, and distribution for use of any food packaging, food service ware, cosmetic, or personal care product that contains perfluoroalkyl and polyfluoroalkyl substances, beginning on December 31, 2026.

Your Committee received testimony in support of this measure from the Department of Health, Chamber of Sustainable Commerce, Hawai'i Reef and Ocean Coalition, Climate Protectors Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Sierra Club of Hawai'i, and nine individuals. Your Committee received testimony in opposition to this measure from the Personal Care Products Council and Retail Merchants of Hawaii.

Your Committee finds that perfluoroalkyl and polyfluoroalkyl substances (PFAS), commonly termed "forever chemicals", are toxic and regularly used chemical compounds that do not breakdown in the environment and can accumulate in animal and human tissue when consumed, applied directly on the skin, or when eating foods packaged with material containing these substances. Hawaii is not isolated from the global ubiquitous occurrences of these extremely toxic and persistent compounds, and may be far more vulnerable to the consequences of PFAS entering groundwater sources, streams, soil, and aquatic life ecosystems. This measure expands on Act 152, Session Laws of Hawaii 2022, by prohibiting additional types of food containers, food service ware, and cosmetic and personal care products, to continue to support the efforts to decrease the overall burden of PFAS contamination in Hawaii's environment.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 504, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 504, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fukunaga, Richards). Noes, none. Excused, none.

**SCRep. 749 (Majority) Commerce and Consumer Protection on S.B. No. 506**

The purpose and intent of this measure is to require self-service stations to put labels on gas dispensing equipment that advise consumers on the effects of fossil fuel consumption to human health and the environment.

Your Committee received testimony in support of this measure from the Hawai'i Climate Change Mitigation and Adaptation Commission, Hawaii State Energy Office, Climate Protectors Hawai'i, Green Mobilists Sweden, and eight individuals. Your Committee received testimony in opposition to this measure from the Hawaii Energy Marketers Association and four individuals. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that Hawaii is particularly vulnerable to the effects of climate change. Accordingly, the State has established certain renewable energy goals to decrease the harmful effects of burning fossil fuels. Burning gasoline, diesel, and ethanol fuel also has major consequences on human health and the environment, including its contribution to climate change, and has been shown to lead to respiratory disorders and other negative health outcomes. This measure would require warning labels at fuel pumping stations to educate consumers of these negative impacts and help protect consumers and raise awareness as to how individual behavior can impact the climate, the environment, and public health.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 506, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 506, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (McKelvey, Richards). Noes, 1 (Awa). Excused, none.

**SCRep. 750 Commerce and Consumer Protection on S.B. No. 516**

The purpose and intent of this measure is to require that the identity statement used for labeling or advertising hemp products identify the percentage of Hawaii-grown hemp and hemp of other origins contained in hemp products.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawai'i Farmers Union United; Hawai'i Hemp Farmers Association; Kanalani Ohana Farm; Maui Farmers Union; Adaptations, Inc.; 'Ai Pōhaku; and twenty-one individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that hemp continues to provide an opportunity for farmers in the State to diversify and expand agricultural production into new areas. Currently, there is no law that requires hemp producers to disclose the origin of the hemp in their products, which limits Hawaii hemp farmers' ability to promote Hawaii hemp products. This measure will provide customers the opportunity to make an informed decision about the source of their purchases and provide local hemp farmers the opportunity to distinguish Hawaii hemp products on the global market.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 516, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 516, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 751 Commerce and Consumer Protection on S.B. No. 602**

The purpose and intent of this measure is to:

- (1) Establish permitting and education requirements for pharmacists ordering or collecting specimens for certain diagnostic tests or tests waived pursuant to the Clinical Laboratory Improvement Amendments of 1988 (CLIA); and
- (2) Expand the definition of "practice of pharmacy" to include the ordering of certain tests and collecting specimens for certain diagnostic or CLIA-waived tests.

Your Committee received testimony in support of this measure from the University of Hawai'i at Hilo, Daniel K. Inouye College of Pharmacy; Board of Pharmacy; and two individuals.

Your Committee finds that there is a severe shortage of health care professionals in the State. Pharmacists can help fill the void of medical services, as pharmacies are geographically dispersed throughout the community with extended hours of operation, making access to health care provided through pharmacies convenient for patients in each locality. Furthermore, patients have established relationships of trust with and recognize pharmacists as health care professionals. Pharmacists possess the skills and knowledge necessary to perform diagnostic and CLIA-waived tests, which are non-technical and have a low risk for erroneous results. This measure expands the "practice of pharmacy" to include the performance of certain diagnostic or CLIA-waived tests to expand access to care 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 602, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 602, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 752 Commerce and Consumer Protection on S.B. No. 390**

The purpose and intent of this measure is to repeal the sunset date of section 2 of Act 119, Session Laws of Hawaii 2021 (Act 119), thereby making permanent:

- (1) The requirement that the Hawaii Medical Board issue licenses in four levels of emergency response practice in counties with a population of five hundred thousand or greater; and
- (2) The creation of an additional licensure category for Emergency Medical Technicians 1, who are certified at a higher practice level than emergency medical technicians but do not provide ambulance services.

Your Committee received testimony in support of this measure from the Hawaii Medical Board.

Your Committee finds that emergency medical technicians, including firefighters and ocean safety lifeguards, provide immediate life-saving interventions to critical care patients while awaiting arrival of additional emergency medical services and are a vital part of a comprehensive emergency medical services system response. Emergency medical technicians, however, do not provide emergency ambulance services. Until 2021, state law relating to the certification of emergency medical personnel addressed only emergency ambulance service personnel and had no licensure category for emergency medical technicians who hold a National Registry Emergency Medical Technician certification. Accordingly, Act 119 created an additional licensure category of "Emergency Medical Technicians 1" and requires the Hawaii Medical Board to issue licenses in four levels of emergency response practice, including

Emergency Medical Technicians 1, in counties with a population of five hundred thousand or greater. However, these provisions of Act 119 are scheduled to repeal on July 1, 2027. This measure repeals this sunset date, thereby making permanent the authority given to the Hawaii Medical Board to license Emergency Medical Technicians who hold a National Registry Emergency Medical Technician certification.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 390, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 390, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 753 Commerce and Consumer Protection on S.B. No. 162**

The purpose and intent of this measure is to allow the Board of Dentistry to issue without examination:

- (1) A community service license to practice dental hygiene in the employment of a community health center and allow eligible candidates to submit as documentation and credentials, diplomas and certificates of graduation from a dental hygiene college or dental college that has a reciprocal agreement with the American Dental Association Commission on Dental Accreditation, recognized and approved by the Board;
- (2) A community service license to practice dentistry in the employment of a community health center and allow eligible candidates to submit as documentation and credentials, diplomas and certificates of graduation from a dental hygiene college or dental college that has a reciprocal agreement with the American Dental Association Commission on Dental Accreditation, recognized and approved by the Board, and certificates or other evidence satisfactory to the Board of having passed the Integrated National Board Dental Examination; and
- (3) A temporary license to practice dentistry exclusively under the auspices of a dental residency program, to graduates from a dental college that has a reciprocal agreement with the American Dental Association Commission on Dental Accreditation, recognized and approved by the Board.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Children's Action Network Speaks!, Hawaii Dental Association, Hawaii Dental Hygienists' Association, Hawaii Dental Service, Hawai'i Oral Health Coalition, Waikiki Health, and four individuals. Your Committee received comments on this measure from the University of Hawai'i System, Board of Dentistry, and Grassroot Institute of Hawaii.

Your Committee finds that there is a shortage of medical professionals in the State, including dentists. Public health dentists and dental hygienists are often the primary providers for Hawaii's medically underserved areas. Improving the shortage in health care workers requires a multipronged strategy that includes addressing the State's regulatory scheme for health care professionals by easing the regulatory burdens and cost associated with becoming a licensed health care professional in the State. This measure addresses the oral health care professional shortfall to help support the most underserved and vulnerable populations, including Medicaid recipients and improve access to care.

Your Committee acknowledges testimony noting that the provision requiring a community dental license applicant to submit a certificate demonstrating the applicant passed the Integrated National Board Dental Examination should also apply to applicants for standard dentist licenses.

Accordingly, your Committee has amended this measure by:

- (1) Inserting a provision allowing an applicant for a dentist license to submit a certificate or other evidence satisfactory to the Board of Dentistry that the applicant passed the Integrated National Board Dental Examination; 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. 162, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 162, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 754 (Majority) Commerce and Consumer Protection on S.B. No. 72**

The purpose and intent of this measure is to:

- (1) Beginning July 1, 2023, require the Public Utilities Commission (PUC) to render decisions on certain renewable projects, power purchase agreements, and cost recovery applications within one hundred eighty days of the filing of the application;
- (2) Exempt certain power purchase agreement amendments from the PUC review and approval process in certain circumstances; and
- (3) For ratemaking proceedings, require the PUC to complete its deliberations and issue its decision before six months from the date a public utility has filed its application for approval.

Your Committee received testimony in support of this measure from Hawaiian Electric and one individual. Your Committee received testimony in opposition to this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Life of the Land, Energy and Climate Action Committee of the Environmental Caucus of the Democratic Party of Hawai'i, Citizens' Caucus,

350Hawaii, Climate Protectors Hawai'i, Americans for Democratic Action, and five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committee finds that the timely completion and successful development of renewable energy projects is critically important to meet the State's renewable energy goals and to reduce reliance on fossil fuels, stabilize and reduce the volatility of customers' utility bills, and reduce greenhouse gas emissions. Achieving the State's decarbonization goals requires cooperation between all stakeholders, including public utilities, the PUC, developers, the community, agencies, and regulators. This measure requires the PUC to adhere to certain timelines in rendering decisions for applications for certain renewable projects, power purchase agreements, and cost recovery to better assist the State in meeting its goals.

Your Committee notes the concerns raised in the testimony submitted by the PUC that the time limits proposed by this measure would inhibit the PUC's ability to provide adequate procedural steps, such as holding evidentiary hearings, in considering applications that may require additional time to provide for due process. Additionally, the PUC noted that while it is typically able to complete application decisions in the time limits under existing law, there are exceptional cases that require more time due to delays outside the PUC's control. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language clarifying that this measure shall apply to applications filed on or after July 1, 2023;
- (2) Inserting language establishing the procedures and requirements for applications submitted to the PUC after July 1, 2023;
- (3) Inserting language establishing additional conditions that must be satisfied for amendments to a previously approved power purchase agreement to be exempt from the PUC's approval;
- (4) Inserting language that requires a public utility requesting an amendment to a power purchase agreement to submit an informational filing to the PUC and all original parties;
- (5) Deleting language that would have reduced the deadline for the PUC to complete its decisions concerning ratemaking proceedings from nine months to six months;
- (6) Inserting an effective date of July 1, 2050, to encourage further discussion;
- (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. 72, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 72, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (Fukunaga). Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 755 (Majority) Commerce and Consumer Protection on S.B. No. 764**

The purpose and intent of this measure is to:

- (1) Allow banks in the State to invest, in aggregate, up to two percent of the bank's total assets in limited partnerships, limited liability partnerships, limited liability companies, and corporations formed to invest in affordable housing residential properties; and
- (2) Require approval from the Commissioner of Financial Institutions to exceed this amount.

Your Committee received testimony in support of this measure from Central Pacific Bank, EAH Housing, Housing Hawai'i's Future, HPM Building Supply, Hawai'i Association of REALTORS, and Ahe Group. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the State needs up to 45,497 additional housing units to meet demand in Hawai'i by 2030. Your Committee additionally finds that Hawaii is presently facing a housing shortage across the islands and is especially in need of creative options to promote investment in the development of low-income affordable housing rentals. This measure increases the low-income housing tax credit investment limit for local banks to a level already permitted by the federal government to increase the available supply of capital, which will reduce unnecessary constraints in addressing soaring demand for affordable rental housing.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 764, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 764, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 756 Commerce and Consumer Protection on S.B. No. 756**

The purpose and intent of this measure is to establish the Access to Local Food Act 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 the Chamber of Sustainable Commerce; Hawai'i Food+ Policy Internship 2023; Hawai'i Alliance for Progressive Action; Hawai'i Farmers Union United; Hawai'i Farm Bureau; Hawaiian Goodness, LLC; and three individuals. Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that the cottage food industry in the State has the potential to increase food security and the overall availability of locally-made food products in Hawaii. Your Committee also finds that the existing regulatory framework is challenging and burdensome for entrepreneurs of cottage food products. For example, all food producers are required to process their foods in licensed commercial kitchens, regardless of the type of food or size of business, this requirement can be costly and particularly difficult to comply with for small operations. This measure will benefit small-scale cottage food producers by allowing them to use non-licensed kitchens to process and sell certain food products, while balancing public health interests, to promote operational flexibility and the creation of jobs and investment opportunities for the local economy.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 756, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 756, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 757      Ways and Means on S.B. No. 1414**

The purpose and intent of this measure is to support research and training activities at the University of Hawaii.

Specifically, this measure:

- (1) Exempts certain University of Hawaii contracts involving research and training from the Hawaii Public Procurement Code;
- (2) Requires the Board of Regents to develop internal policies and procedures for the exempted procurements;
- (3) Repeals the requirement that the Board of Regents develop internal policies and procedures for the procurement of construction;
- (4) Authorizes the President of the University of Hawaii to delegate procurement authority for research and training to the Vice President for Research and Innovation; and
- (5) Requires the University of Hawaii to submit its procurement policies and procedures and certain procurement data to the Legislature.

Your Committee received written comments in support of this measure from the University of Hawaii.

Your Committee finds that the procurement exemptions granted to the University of Hawaii by this measure will help to strengthen the University's sponsored research and training activities.

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. 1414, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1414, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 758      Ways and Means on S.B. No. 1024**

The purpose and intent of this measure is to reduce greenhouse gas emissions and achieve zero emissions across all transportation modes within the State.

More specifically, this measure:

- (1) Establishes goals for the State to reduce greenhouse gas emissions and achieve zero-emissions transportation across all sectors of ground, interisland, and transpacific transportation;
- (2) Establishes the clean ground transportation working group and the interisland and transpacific clean transportation working group to help the State to achieve these goals; and
- (3) Requires the Department of Transportation, Office of Planning and Sustainable Development, and Hawaii State Energy Office to take certain actions to help the State achieve zero-emissions transportation.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office, Big Island Electric Vehicle Association, Blue Planet Foundation, Climate Protectors Hawaii, Hawaii Bioeconomy Trade Organization, Hawaii EV Association, Hawaiian Airlines, Kauai Climate ACTION Coalition, SanHi Government Strategies, 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 Office of Planning and Sustainable Development, Hawaii Automobile Dealers' Association, SanHi Government Strategies, and Ulupono Initiative.

Your Committee finds that greenhouse gas emissions from transportation account for the largest share of energy sector greenhouse gas emissions in the State. Accordingly, your Committee believes that for the State to achieve its goal by 2045 of sequestering more greenhouse gases than emitted, this measure's focus on promoting clean ground, interisland, and transpacific transportation alternatives is important.

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. 1024, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1024, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 759      Ways and Means on S.B. No. 1023**

The purpose and intent of this measure is to increase access to preschool.

Specifically, this measure:

- (1) Appropriates moneys for the Preschool Open Doors program;
- (2) Provides flexibility regarding the accreditation required for Preschool Open Doors program service providers;
- (3) Expands eligibility for the Executive Office on Early Learning Public Prekindergarten program from children in their year prior to the year of kindergarten eligibility to three- and four-year-old children who are in the two years prior to entry into kindergarten;
- (4) Expands eligibility for the Preschool Open Doors program to include children who are three years old and are in the two years prior to entry into kindergarten; and
- (5) Authorizes the Preschool Open Doors Special Fund to accept federal funds.

Your Committee received written comments in support of this measure from the Office of the Lieutenant Governor, Early Learning Board, Hui for Excellent in Education, Kamehameha Schools, Hawaii Children's Action Network Speaks!, Early Childhood Action Strategy, Hawaii Association of Independent Schools, Stonewall Caucus of the Democratic Party of Hawaii, and two individuals.

Your Committee received written comments on this measure from the Department of Human Services, Executive Office on Early Learning, Department of Budget and Finance, and one individual.

Your Committee finds that children who attend two years of preschool are much better prepared for success than children who attend one year of preschool or no preschool at all. Your Committee also finds that this measure will help to increase the number of preschool classrooms in the State, especially classrooms for economically disadvantaged children who would not otherwise attend preschool.

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. 1023, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1023, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 760      Ways and Means on S.B. No. 927**

The purpose and intent of this measure is to propose an amendment to the Hawaii State Constitution to modify the method of reapportionment.

More specifically, the measure proposes to amend 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 decennial United States census for the respective reapportionment year, rather than the permanent resident population.

Your Committee received written comments in support of this measure from one individual.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that this measure's proposed change to the current method of reapportionment, if ratified by voters at the next general election, will ensure that state Senate and House of Representatives districts will be more representative of the people who live in those districts, by including all residents of each district in the population total used by the state Reapportionment Commission to

allocate state Senate and House of Representatives districts, rather than only including each district's "permanent residents," a category that excludes "usual residents" such as members of the military, military dependents, and college students. Your Committee further finds that the proposed amendment, if ratified, will align Hawaii's approach to reapportionment with that of the other forty-nine states, which base their reapportionment process on United States census data and the concept of "usual residents."

Your Committee has amended this measure by:

- (1) Rephrasing the question to be printed on the ballot as follows:
  - (A) Specifying that reapportionment is the redrawing of electoral district boundaries in the State; and
  - (B) Referencing the current practice of basing reapportionment on the total number of permanent residents in the State; 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. 927, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 927, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 761 Ways and Means on S.B. No. 917**

The purpose and intent of this measure is to propose an amendment to article I, section 4, of the Constitution of the State of Hawaii to provide that freedom of speech protections under the state constitution do not include the expenditure of money to influence elections.

Your Committee received written comments in support of this measure from the Stonewall Caucus of the Democratic Party of Hawaii, Kauai Women's Caucus, and four individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that the United States Supreme Court's decision in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), reversed certain campaign finance restrictions as violative as free speech protections under the First Amendment of the Constitution of the United States. Your Committee also finds that the Court's decision has led to significant increases in political expenditures by corporations, special interest groups, and political action committees. Your Committee recognizes that this proposed amendment to the state constitution, even if adopted, will have no immediate effect, due to the supremacy of the United States Supreme Court's decision. However, your Committee recognizes that this amendment may be valuable if *Citizens United* is overturned in the future.

Your Committee notes that a portion of the measure's proposed constitutional ratification question appears to exceed the scope of the actual proposed state constitutional amendment. The language in question speculates on when the proposed state constitutional amendment might "take effect", based on hypothetical future events. The language also incorrectly states that the United States Congress may "override" the *Citizens United* court decision, and provides a truncated summary of that decision. In short, your Committee finds that this language may be unnecessary, and may potentially run afoul of section 11-118.5(a), Hawaii Revised Statutes, which requires that a constitutional ratification question "shall be phrased in a manner to enable voters to express their choice on the constitutional amendment by providing a 'yes' or 'no' response" and that the "language and meaning of a constitutional amendment shall be clear and it shall be neither misleading nor deceptive." Accordingly, your Committee suggests that, if this measure continues to move through the legislative process, it may be appropriate for future committees to further amend the measure by limiting the constitutional ratification question to a description of the text of the proposed constitutional amendment.

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. 917, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 917, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 762 Ways and Means on S.B. No. 828**

The purpose and intent of this measure is to facilitate the certification of documents.

Specifically, the measure:

- (1) Establishes a fee, to be assessed by the Lieutenant Governor, for the issuance of apostilles or non-apostille certifications;
- (2) Establishes an apostilles and certifications special fund, from which moneys may be expended for certain operational expenses; and
- (3) Appropriates moneys into and out of the apostilles and certifications special fund for operational expenses relating to the purposes of the measure.

Your Committee received written comments in support of this measure from the Office of the Lieutenant Governor.

Your Committee finds that each year, the Office of the Lieutenant Governor provides thousands of authentications for public and general documents that fall within the scope of this measure. These documents include certain powers of attorney, marriage certificates, birth certificates, divorce decrees, wills, judgments, agreements, and transcripts. Your Committee finds that this measure would help provide the Office with funding necessary to improve its efficiency in processing these documents.

Your Committee has amended this measure by:

- (1) Including legislative appropriations as a funding source for the apostilles and certifications special fund; 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. 828, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 828, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 763 Ways and Means on S.B. No. 826**

The purpose and intent of this measure is to clarify how moneys that were previously appropriated to the School Facilities Authority are to be administered.

Specifically, the measure:

- (1) Transfers general funds previously appropriated to the School Facilities Authority to the school facilities special fund; and
- (2) Appropriates moneys out of the school facilities special fund.

Your Committee received written comments in support of this measure from the University of Hawaii, Executive Office on Early Learning, HE'E Coalition, and Kamehameha Schools.

Your Committee received written comments on this measure from the Office of the Lieutenant Governor, Department of Budget and Finance, and School Facilities Authority.

Your Committee finds that transferring the appropriation of general funds made by Act 257, Session Laws of Hawaii 2022, into the school facilities special fund will provide the School Facilities Authority greater flexibility to construct pre-kindergarten classrooms in coordination with its program partners.

Your Committee has amended this measure by:

- (1) Establishing an appropriation ceiling for the school facilities special fund that is equivalent to the balance of moneys in the special fund;
- (2) Changing the amount transferred into and out of the school facilities special fund from \$200,000,000 to an unspecified sum;
- (3) Providing for the deposit and expenditure of moneys in fiscal year 2023-2024, rather than fiscal year 2022-2023; and
- (4) 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. 826, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 826, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 764 Ways and Means on S.B. No. 818**

The purpose and intent of this measure is to transfer the Aquaculture Development Program from the Department of Agriculture to the Agribusiness Development Corporation of the Department of Business, Economic Development, and Tourism.

Your Committee received written comments in support of this measure from the Agribusiness Development Corporation.

Your Committee received written comments in opposition to this measure from the Hawaii Aquaculture and Aquaponics Association; Jamestown Point Whitney Ventures, LLC; Kauai Sea Farm; Aquaculture Planning and Advocacy; and one individual.

Your Committee received written comments on this measure from the Department of Agriculture and Pacific Coast Shellfish Growers Association.

Your Committee finds that the Department of Agriculture primarily functions as a regulatory and enforcement body. Conversely, the Aquaculture Development Program primarily functions to promote innovation and produce economic opportunities in aquaculture. Accordingly, the goals of the Aquaculture Development Program more closely align with the Department of Business, Economic Development, and Tourism, which, after the transfer, will be better positioned to support the program's efforts to increase aquaculture in the State.

Your Committee has amended the measure by:

- (1) Adding a new section that explains the purpose of the measure;
- (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. 818, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 818, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Fevella). Noes, none. Excused, 3 (Aquino, DeCoite, Kidani).

**SCRep. 765 Ways and Means on S.B. No. 699**

The purpose and intent of this measure is to establish a state capitol tours program.

More specifically, this measure:

- (1) Establishes within the Legislative Reference Bureau's Public Access Room a state capitol tours program;
- (2) Requires the maintenance and regular updating of a virtual tour website; and
- (3) Appropriates moneys to establish one full-time equivalent (1.0 FTE) position to conduct and host capitol tours.

Your Committee received written comments in support of this measure from one individual.

Your Committee received written comments on this measure from the Legislative Reference Bureau and Office of the Lieutenant Governor.

Your Committee finds that providing state capitol tours is a meaningful public service that provides visitors to the Hawaii State Capitol with an appreciation for the State and the democratic process.

Your Committee has amended this measure by:

- (1) Clarifying that the Public Access Room coordinator is required to administer and facilitate the state capitol tours program;
- (2) Clarifying that paper brochures and information about the virtual tour website shall be made available to the public in the Public Access Room; 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. 699, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 699, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Aquino, DeCoite, Kidani).

**SCRep. 766 Ways and Means on S.B. No. 660**

The purpose and intent of this measure is to require and appropriate moneys for the Department of Agriculture to establish a healthy soils program.

Your Committee received written comments in support of this measure from the State of Hawaii Climate Change Mitigation and Adaptation Commission; Pacific Agricultural Land Management Systems; Kauai Climate Change Coalition; Kipahulu Ohana, Inc.; Kanalani Ohana Farm; Capture the Carbon; Aina Hookupu o Kilauea; Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party; Hawaii Alliance for Progressive Action; Good Food Movement; Chamber of Sustainable Commerce; Adaptations, Inc.; Kona Coffee Farmers Association; The Seeger Institute; Hawaii Forest Industry Association; Hawaii Farmers Union United; Green Islands Acres, LLC; Food + Policy Internship; Kohana Family Farms; Hawaii Environmental Change Agents Carbon Sequestration Task Force; Ka Ohana O Na Pua; Ai Pohaku - The Stone Eaters; Kuwale Ridge Farms; and numerous individuals.

Your Committee received written comments in opposition to this measure from the Hawaii Farm Bureau, Hawaii Cattlemen's Council, and Hawaii Floriculture and Nursery Association.

Your Committee received written comments on this measure from the Department of the Attorney General, Hawaii Department of Agriculture, Hawaii Farmers Union United, and 350 Hawaii.

Your Committee finds that the healthy soils program established by this measure will provide awards, financial incentives, and technical assistance to help small farmers, ranchers, and landowners improve soil health and build carbon stocks.

Your Committee has amended this measure by:

- (1) Changing the amount of the appropriation from \$500,000 to an unspecified sum 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. 660, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 660, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 767 Ways and Means on S.B. No. 1442**

The purpose and intent of this measure is to reduce homelessness in the State by providing funding and other support for the Ohana Zones Pilot Program.

More specifically, the measure:

- (1) Appropriates funds for the Ohana Zones Pilot Program, including expenses relating to operations, upkeep of facilities, provision of services, and administrative costs;
- (2) Authorizes the issuance of general obligation bonds for the construction of facilities for the pilot program;
- (3) Establishes one position within the Office of the Governor to deploy the capital improvement funds appropriated by this measure; and
- (4) Provides that certain enumerated exemptions shall apply to Ohana Zone construction.

Your Committee received written comments in support of this measure from the Office of the Governor, AARP Hawaii, Partners in Care, Opportunity Youth Action Hawaii, and four individuals.

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

Your Committee finds that this measure's further support of the Ohana Zones Pilot Program, which was established by the Legislature in 2018, will address the urgent and ongoing need to reduce homelessness in the State.

Your Committee has amended this measure by:

- (1) Changing the appropriation and general obligation bond issuance amounts from \$15,000,000 to unspecified amounts;
- (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. 1442, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1442, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 768 Ways and Means on S.B. No. 1609**

The purpose and intent of this measure is to facilitate the improvement of Native Hawaiian communities and culture.

Specifically, this measure:

- (1) Appropriates moneys for the Department of Business, Economic Development, and Tourism and Department of Land and Natural Resources to issue grants tailored to improving Native Hawaiian communities;
- (2) Imposes certain requirements relating to the foregoing grants; and
- (3) Amends Act 195, Session Laws of Hawaii 2022, to impose similar requirements relating to the grants funded pursuant to that Act.

Your Committee received written comments in support of this measure from the Office of the Mayor of the County of Maui, a member of the Maui County Council, the Council for Native Hawaiian Advancement, Kapolei Chamber of Commerce, and three 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; Department of Business, Economic Development, and Tourism; and Department of the Attorney General.

Your Committee finds that Native Hawaiian communities are in need of effective assistance with respect to education, business and entrepreneurship mentoring, farming, cultural training, environmental management, and other fields. Your Committee believes that funding for certain grants, as proposed by this measure, will help meet those needs.

Your Committee has amended this measure by:

- (1) Clarifying that certain allocations apply to both fiscal year 2023-2024 and fiscal year 2024-2025;
- (2) Changing the appropriations and allocations 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 S.B. No. 1609, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1609, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 769 Ways and Means on S.B. No. 1568**

The purpose and intent of this measure is to amend the county surcharge on state tax.

More specifically, this measure:

- (1) Extends the period in which a county may adopt a surcharge on state tax, under certain conditions, from March 31, 2019, to December 31, 2023;
- (2) Authorizes, in certain instances, the use of county surcharge revenues for housing infrastructure; and
- (3) Temporarily authorizes counties that have previously adopted a surcharge on state tax to amend the rates and uses of the surcharge.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of the Mayor of the County of Maui, Maui Hotel and Lodging Association, 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 Taxation and Tax Foundation of Hawaii.

Your Committee finds that the development of housing is of critical importance to the State. Your Committee also finds that the high cost of infrastructure is a factor that makes homes expensive, to the point of being unobtainable for many local families. Your Committee further finds that making counties, rather than private developers, responsible for the location, planning, and development of infrastructure to support housing would result in more efficient community planning.

Your Committee has amended this measure by:

- (1) Clarifying that any change to a county's surcharge rate shall take effect on January 1, 2025; 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. 1568, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1568, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 770 Ways and Means on S.B. No. 1532**

The purpose and intent of this measure is to establish the Hawaii Leadership Awards Program to recognize persons from Hawaii who have made outstanding contributions to the State and who serve as an inspiration to others.

Your Committee received written comments in support of this measure from the State Foundation on Culture and the Arts.

Your Committee finds that the awards established by this measure will allow the State to recognize leadership and celebrate Hawaii's achievements while investing in the State's overall economy.

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. 1532, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1532, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 771 Ways and Means on S.B. No. 1510**

The purpose and intent of this measure is to appropriate moneys to establish a center for the design, development, and fabrication of ground-based astronomical instruments at the University of Hawaii.

Your Committee received written comments in support of this measure from the University of Hawaii, Maunakea Observatories, and one individual.

Your Committee finds that the center funded by this measure will help support the long-term success of astronomy in Hawaii and will create a robust high-tech workforce pipeline for local talent, including Native Hawaiians, women, and other groups that are underrepresented in astronomy.

Your Committee has amended this measure by:

- (1) Changing the appropriations to unspecified sums;
- (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. 1510, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1510, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 772 Ways and Means on S.B. No. 1506**

The purpose and intent of this measure is to promote pedestrian and bicyclist safety.

More specifically, this measure:

- (1) Establishes within the Department of Transportation for administrative purposes a safe routes for people implementation program and safe routes for people implementation committee;
- (2) Clarifies the responsibilities of various entities in relation to the safe routes to school program;
- (3) Renames the safe routes to school program special fund as the safe routes for people special fund and clarifies the moneys to be deposited into, and authorizes uses of the moneys in, the special fund; and
- (4) Appropriates moneys to the Department of Transportation to address bicycle and pedestrian facilities in state and county transportation systems.

Your Committee received written comments in support of this measure from the Department of Health; Hawaii Climate Change Mitigation and Adaptation Commission; State Council on Developmental Disabilities; City and County of Honolulu, Department of Transportation Services; Hawaii County Council; Honolulu Police Department; AARP Hawaii; Bikeshare Hawaii; Cycle On Hawaii; Hawaii Bicycling League; Hawaii Children's Action Network Speaks!; Hawaii Public Health Institute; Malama Kauai; Ulupono Initiative; We Are One, Inc.; and numerous individuals.

Your Committee received written comments on this measure from the Department of the Attorney General and Department of Transportation.

Your Committee finds that the establishment of a safe routes for people implementation program will support the creation and maintenance of a transportation system that provides safe mobility for all modes of transportation and all users.

Your Committee has amended this measure by:

- (1) Inviting, rather than requiring, representatives from specific private entities to serve on the safe routes for people implementation committee;
- (2) Including as an invited member of the safe routes for people implementation committee, one member representing the Hawaii Association of Independent Schools;
- (3) Repealing the requirement that the safe routes for people implementation committee, in consultation with the Department of Education, Department of Health, and Hawaii Association of Independent Schools, provide safe routes to school funds for certain workshops and projects;
- (4) Requiring that the safe routes for people implementation committee develop recommendations for school-based and community-based workshops, review project proposals, and select certain priority infrastructure and non-infrastructure projects;
- (5) Repealing, rather than amending, the requirement that each county submit to the Legislature an annual report on the status and progress of that county's safe routes to school program;
- (6) Repealing the requirement that the Director of Transportation submit an annual report to the Legislature on the status and progress of the safe routes to school program;
- (7) Deleting the requirement that a certain percentage of safe routes for people funds intended for safe routes to school projects be allocated for certain activities;
- (8) Clarifying the required contents of the Department of Transportation's annual report to be submitted to the Legislature pursuant to section 291C-4(c), Hawaii Revised Statutes;
- (9) Clarifying the purpose of the appropriation contained in this measure;
- (10) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (11) 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. 1506, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1506, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 773 Ways and Means on S.B. No. 1482**

The purpose and intent of this measure is to establish and appropriate moneys for an Aerospace Development Office within the Hawaii Technology Development Corporation.

Your Committee received written comments in support of this measure from the Hawaii Technology Development Corporation; Bushtex, Inc.; and one individual.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that the program established by this measure will facilitate dialogue and coordination among Hawaii's public, private, and academic sectors and between state-based entities and public and private international organizations to promote the growth and diversification of the State's aerospace and aeronautics industries.

Your Committee has amended this measure by:

- (1) Establishing a development program, rather than a development office;
- (2) Adding "aeronautics" to the program name, as suggested in written comments from an individual;
- (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. 1482, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1482, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 774      Ways and Means on S.B. No. 314**

The purpose and intent of this measure is to make the nursing facility sustainability program permanent and appropriate moneys from the nursing facility sustainability program special fund for the program.

Your Committee received written comments in support of this measure from the Department of Human Services, Hilo Medical Center, Hawaii Primary Care Association, Healthcare Association of Hawaii, Kaiser Permanente, Hawaii Pacific Health, Ohana Pacific Management Company/Hale Makua Services, Queen's Health System, Palolo Chinese Home, and one individual.

Your Committee received written comments on this measure from the Department of Taxation and Aloha Nursing Rehab Centre.

Your Committee finds that the nursing facility sustainability program, which imposes provider fees on nursing facilities in the State has resulted in a substantial increase in Medicaid payments without placing more constraints on the State's budget. Your Committee also finds that the program has enabled nursing facilities to serve uninsured and underinsured patients and protected the sustainability of the State's health care system.

Your Committee has amended this measure by:

- (1) Amending other provisions within the Hawaii Revised Statutes to conform to the statutory amendments made by this measure;
- (2) Clarifying the process by which facilities may be excluded from assessments;
- (3) Changing the appropriation from \$24,000,000 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. 314, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 314, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 775      Ways and Means on S.B. No. 293**

The purpose and intent of this measure is to require that the Governor ensure that certain program memoranda accurately reflect the current responsibilities of the applicable state programs, address the current and future needs of the State, and align with budget-related submittals.

Your Committee received written comments on this measure from Department of Budget and Finance.

Your Committee finds that requiring program memoranda to accurately reflect the current responsibilities of the applicable state programs, address the current and future needs of the State, and align with budget-related submittals, will provide for the effective and prudent management of the State's finances.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 293, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 293, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 776 Ways and Means on S.B. No. 291**

The purpose and intent of this measure is to require that the Governor ensure that certain program memoranda and variance reports accurately reflect the current responsibilities of the applicable state programs, address the current and future needs of the State, and align with budget-related submittals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that requiring program memoranda and variance reports to accurately reflect the current responsibilities of the applicable state programs, address the current and future needs of the State, and align with budget-related submittals, will ensure that the State's finances are managed in a more effective and prudent manner.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 291, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 291, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 777 Ways and Means on S.B. No. 284**

The purpose and intent of this measure is to facilitate the State's use of information technology.

Specifically, the measure:

- (1) Requires the technology services consolidation working group to:
  - (A) Make certain upgrades relating to the Office of Enterprise Technology Services' data center; and
  - (B) Submit certain reports to the Legislature;
- (2) Extends to June 30, 2028, the dissolution date of the working group; and
- (3) Establishes requirements for procurement contracts for information technology-related projects.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, Transform Hawaii Government, and one individual.

Your Committee received written comments on this measure from Servpac.

Your Committee finds that the Office of Enterprise Technology Services' data center, created more than forty years ago, has received few, if any, upgrades. Your Committee believes that extensive upgrades to the data center, as proposed by this measure, will help ensure the continued and uninterrupted provision of state services.

Your Committee has amended this measure by:

- (1) Clarifying the scope of the information to be reported to the Legislature prior to the Regular Session of 2025;
- (2) Clarifying that the technology services consolidation working group shall implement the use of cloud computing at the Office of Enterprise Technology Services' data center;
- (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. 284, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 284, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 778 Ways and Means on S.B. No. 281**

The purpose and intent of this measure is to provide a state income tax deduction for certain contributions to any college savings program established under section 529 of the Internal Revenue Code.

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 Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that providing a state income tax deduction for contributions to a college savings program will provide an additional tax incentive for families to save for college and allow Hawaii to join the approximately thirty other states that provide a tax deduction or credit for similar contributions.

Your Committee has amended this measure by clarifying that any contributions that exceed the maximum deductible amount for a taxable year may be used as an income tax deduction for four subsequent tax years or until the excess amount is exhausted, whichever occurs first.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 281, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 281, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Lee, Moriwaki).

**SCRep. 779      Ways and Means on S.B. No. 164**

The purpose and intent of this measure is to increase access to healthcare in underserved areas of the State.

Specifically, this measure appropriates moneys to the Department of Health for the Hawaii State Loan Repayment Program, which provides loan repayments for health care professionals who commit to work in federally-designated health professional shortage areas.

Your Committee received written comments in support of this measure from the Department of Health, Department of Labor and Industrial Relations, University of Hawaii, Hawaii Primary Care Association, Healthcare Association of Hawaii, Hawaii Pacific Health, Hawai'i State Center for Nursing, The Queen's Health System, Hawaii Medical Association, Hawaii Substance Abuse Coalition, Hawaii Psychological Association, and two individuals.

Your Committee finds that, since September 2012, the Hawaii State Loan Repayment Program has supported seventy-six recipients in exchange for commitments from the recipients to work in underserved geographic practice areas in the State. Your Committee further finds that approximately eighty percent of these program participants have remained in Hawaii and more than half have remained at the site at which they performed their service under the program.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$1,000,000 to an unspecified sum to facilitate further discussion on the measure; and
- (2) Correcting the names of National Health Service Corps and the Maui Community 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. 164, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 164, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 780      Ways and Means on S.B. No. 430**

The purpose and intent of this measure is to alleviate food shortages in the State while promoting local agriculture.

More specifically, the measure:

- (1) Establishes a Hawaii farm to food bank program, to be administered by the Office of Community Services of the Department of Labor and Industrial Relations, to relieve food shortages experienced by low-income and unemployed residents of the State by distributing fresh, locally grown or produced food to those persons;
- (2) Establishes the Hawaii food assistance program special fund, capitalizes the special fund with \$5,000,000 from the general fund, and appropriates this amount for hunger relief efforts; and
- (3) Exempts the Hawaii food assistance program special fund from certain provisions of Chapter 36, Hawaii Revised Statutes, relating to management of state funds.

Your Committee received written comments in support of this measure from the Office of Community Services of the Department of Labor and Industrial Relations, Maui County Council, Hawaii Children's Action Network Speaks!, Hawaii Public Health Institute, Hawaii Primary Care Association, Hawaii Farm Bureau, Ulupono Initiative, Hawaii Farmers Union United, 350Hawaii.org, Hawaii Cattlemen's Council, Hawaii Foodbank, Hawaii Food Plus Policy, and four individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii farm to food bank program established by this measure will serve the State's food needs, provide local food producers with a wider market to support their operations, and keep moneys circulating within the State to boost the local economy.

Your Committee has amended this measure by:

- (1) Clarifying that the role of the Hawaii farm to food bank program is to provide financial support for the distribution of food to persons in need;
- (2) Changing the appropriation from \$5,000,000 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. 430, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 430, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 781 (Majority) Commerce and Consumer Protection on S.B. No. 1502**

The purpose and intent of this measure is to:

- (1) Require hourly peer-to-peer car sharing operators to insure shared cars with personal injury protection benefit and basic liability coverage;
- (2) Authorize the Department of Transportation to regulate peer-to-peer car sharing parking at state airports; and
- (3) Authorize the counties to regulate peer-to-peer car sharing parking on county streets.

Your Committee received testimony in support of this measure from GETAROUND, INC. and three individuals. Your Committee received testimony in opposition to this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs, Insurance Division of the Department of Commerce and Consumer Affairs, Hawaii Association for Justice, and Hawaii Insurers Council. Your Committee received comments on this measure from Turo.

Your Committee finds that peer-to-peer car sharing services (P2P car sharing) have grown in popularity across the State. Generally, under a P2P car sharing program, participating car owners are able to charge a fee to rent out their vehicles when they are not using them and participating renters can access nearby and affordable vehicles and pay only for the time they need to use them. Thus, while serving as an efficient alternative mode of transportation for many tourists and residents--especially in light of Hawaii's recent rental car crunch and the increasing cost of car ownership--the unique agreement-based nature of P2P car sharing programs exempt them from certain insurance requirements, placing the burden of risk on other insured drivers.

Your Committee finds that to address the problem of uninsured or underinsured P2P car sharing drivers, the Legislature enacted Act 56, Session Laws of Hawaii 2022 (Act 56). Under Act 56, P2P car sharing programs are required to ensure that during each car-sharing period, a shared car is insured under a policy that provides primary insurance coverage in amounts not less than \$750,000 for death, bodily injury, and property damage per accident, in addition to costs of defense. However, according to testimony received by your Committee, this has resulted in Hawaii requiring that all shared cars be insured at nearly nineteen times the State's minimum amounts for auto liability per accident. Therefore, this measure serves to ease the burden on hourly P2P car sharing participants and ensure affordable, accessible options for residents and visitors in 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1502, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1502, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Richards). Noes, 1 (Awa). Excused, none.

**SCRep. 782 (Majority) Commerce and Consumer Protection on S.B. No. 1462**

The purpose and intent of this measure is to establish an organizational and regulatory framework for limited-profit housing associations.

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 and Department of Taxation.

Your Committee finds that there is a desperate need to create additional housing in the State. Your Committee further finds that the limited-profit housing association model is a sustainable option to develop long-term housing, under which any profit generated by a housing project must be used for the creation of more housing. This measure establishes the framework necessary to authorize limited-profit housing associations in Hawaii. Your Committee notes that this measure, as currently written, requires clarification and regulate to identify the entity responsible for issuing the approvals identified in this measure.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the Limited-Profit Housing Council shall be the entity responsible for issuing any necessary approvals or permissions required for a limited-profit housing association;
- (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. 1462, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1462, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 783 Commerce and Consumer Protection on S.B. No. 1447**

The purpose and intent of this measure is to:

- (1) Clarify that county ordinances or regulations that regulate the sale of cigarettes, tobacco products, and electronic smoking devices are null and void only if they are in direct conflict with or less stringent than state law that governs smoking; and



- (2) Clarify that counties retain the authority to adopt ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices, as long as the ordinances do not directly conflict with and are more stringent than the provisions in state law that govern smoking.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i State Association of Counties, American Cancer Society Cancer Action Network, American Heart Association, Friends of Kamalani and Lydgate Park, Hawaii COPD Coalition, Hawai'i Public Health Institute, Campaign for Tobacco-Free Kids, American Lung Association in Hawai'i, Coalition for a Tobacco-Free Hawai'i's Youth Council, and twelve individuals. Your Committee received testimony in opposition to this measure from Aloha Petroleum, Ltd. dba Aloha Petroleum; Kalalau Awawa, LLC dba Minit Stop; Par Hawaii, LLC; Americans for Tax Reform; Retail Merchants of Hawaii, Inc.; Hawaii Smokers Alliance; and eleven individuals.

Your Committee finds that geographic tobacco-related disparities are a serious public health problem in Hawaii that requires innovative, community-based solutions. According to the Department of Health, while 11.6 percent of adults in the general population smoke, adults in Hawaii County have the highest prevalence of smoking at 14.0 percent. Smoking within certain subcommunities throughout the State are even higher. Your Committee further finds that youth who live on neighbor islands evidence more current tobacco use than those who live in the City and County of Honolulu. Given the existence of these geographic disparities, there is an urgent need for counties to have the ability to regulate access to tobacco products especially among youth. Additionally, existing state laws have created ambiguity in the effectiveness of county ordinances to regulate smoking that are not in direct conflict with other provisions. This measure will preserve the legal ability of counties to adopt ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices in a manner that is more stringent than but not in direct conflict with state law in an effort to be responsive to pressing community needs.

Your Committee acknowledges the concerns raised in testimony that this measure, as currently written, does not clearly express that counties can pass local laws that are more stringent than state laws. Therefore, amendments to this measure are necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Repealing existing statutory language that provides that all local ordinances or regulations that regulate the sale of cigarettes, tobacco products, and electronic smoking devices are preempted and that existing local laws and regulations conflicting with state law that governs smoking are null and void;
- (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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1447, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1447, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

#### **SCRep. 784 Commerce and Consumer Protection on S.B. No. 1340**

The purpose and intent of this measure is to:

- (1) Expand the exemption from the behavior analyst licensing requirements for certain teachers working in collaboration with a licensed behavior analyst or licensed psychologist;
- (2) Remove the exemption from the behavior analyst licensing requirements for direct support workers; and
- (3) Allow a registered behavior technician who is under the direction of a licensed psychologist to implement applied behavior analysis services.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Council on Developmental Disabilities, Hawaii State Teachers Association, and Special Education Advisory Council. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawai'i Association for Behavior Analysis.

Your Committee finds that the Department of Education has a shortage of qualified individuals to offer Applied Behavior Analysis (ABA) services to youth with autism. ABA is the leading practice that can help individuals with autism succeed. ABA helps curb inappropriate behaviors, improve academic performance, and enhance everyday functional skills. This measure will bolster the State's ABA workforce by allowing certain classroom teachers and registered behavior technicians under the direction of a licensed psychologist to implement ABA services.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1340, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1340, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 785 (Majority) Commerce and Consumer Protection on S.B. No. 1344**

The purpose and intent of this measure is to:

- (1) Allow the administration of medication to public school students by health assistants with the approval of a health care professional within the Department of Education, Department of Health, or a health care service per a written agreement with the Department of Education; and
- (2) Revise statutory references from “school health aides” to “school health assistants” to reflect recent changes to the job title.

Your Committee received testimony in support of this measure from the Department of Health, Department of Education, University of Hawai‘i at Mānoa Nancy Atmospera-Walch School of Nursing, Hawai‘i State Center for Nursing, Epilepsy Foundation of Hawaii, and two individuals.

Your Committee finds that under existing law, all medication administered by school health assistants in Hawaii public schools must be reviewed and approved by the Department of Health. Many public schools currently have a registered nurse, advanced practice registered nurse, or other specialized health care provider on campus through written agreements with the Department of Education, such as school-based health centers from federally qualified health centers and the University of Hawaii at Manoa School of Nursing. However, existing law prevents these health care professionals who are already on campus from performing the function of medication administration approval. This measure authorizes these health care professionals to approve medication administered by school health assistants to public school students.

Your Committee acknowledges the testimony submitted by the Epilepsy Foundation of Hawaii, which offers amendments to this measure clarifying the types of medication that a school health assistant may administer to students.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that nasal and other premeasured medication, including but not limited to auto-injectable epinephrine for anaphylaxis, bronchodilators for asthma, and seizure rescue medication for seizure disorders, may be administered by school health assistants;
- (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. 1344, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1344, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 786 Commerce and Consumer Protection on S.B. No. 1389**

The purpose and intent of this measure is to require mandatory disclosure of all existing permitted and unpermitted shoreline erosion control structures and the annual coastal erosion rates for shoreline properties in real estate transactions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, Hawai‘i Climate Change Mitigation and Adaptation Commission, and Surfriider Foundation. Your Committee received comments on this measure from the Hawai‘i Association of REALTORS.

Your Committee finds that as sea level rise continues to accelerate, the State must maintain a constant and ongoing effort to adopt policies and programs to support adaptation to a changing world and climate. Some shoreline property owners maintain erosion control structures or seawalls, a number of which are either unpermitted, or remain in place under expired permits beyond their allotted authorization. Accordingly, these structures present an enforcement challenge for the Department of Land and Natural Resources when a shoreline property changes ownership. This measure will help remove harmful and dangerous unpermitted erosion control structures from state lands to improve access to public trust resources and provide greater accountability for private property owners for the removal of unpermitted encroachments.

Your Committee has amended this measure by:

- (1) Inserting language recommended by the Department of Land and Natural Resources, which specifies that erosion rates need only be disclosed when they are publicly available; 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. 1389, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1389, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 787 Commerce and Consumer Protection on S.B. No. 823**

The purpose and intent of this measure is to:

- (1) Provide an exemption for flatbed trucks from registration renewals and initial registrations of motor carrier vehicles when used as marine terminal equipment temporarily moving in or between certain terminals; and
- (2) Add new terminal locales, times, and roadways to be covered under the exemption.

Your Committee received testimony in support of this measure from the Department of Transportation and fifty-eight individuals.

Your Committee finds that existing law limits unregistered motor vehicles used as marine terminal equipment to operate only between specified terminals on public roads. This measure allows for unregistered flatbed trucks to also be used temporarily as marine terminal equipment to expediate movement between terminals and also expands the list of roadways that may be used by marine terminal equipment.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 823, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 823, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 788      Ways and Means on S.B. No. 1567**

The purpose and intent of this measure is to support the increase of workforce development pathways.

Specifically, this measure:

- (1) Authorizes the State Board for Career and Technical Education to represent the State and designate entities to allow the State to receive funds for career and technical education;
- (2) Requires the State Board for Career and Technical Education to develop and implement workforce development pathways that align with regional economic development, assets, and facilities and address statewide initiatives and mandates;
- (3) Amends the composition of the Career and Technical Education Coordinating Advisory Council;
- (4) Appropriates moneys to develop and implement career and technical education workforce development pathways;
- (5) Appropriates moneys for career and technical education workforce development pathways; and
- (6) Appropriates moneys for differential pay increases for career and technical education teachers.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations; Department of Business, Economic Development, and Tourism; Hawaii State Teachers Association; and Democratic Party of Hawaii Education Caucus.

Your Committee received written comments on this measure from the Department of Human Resources Development, Department of Budget and Finance, Department of the Attorney General, and Hawaii P-20 Partnerships for Education.

Your Committee finds that this measure will help to create statewide-aligned career pathways for students while in Department of Education schools that will continue through their post-secondary education. Your Committee further finds that this early career and technical education will help fulfill Hawaii's workforce needs while building careers for participants.

Your Committee has amended this measure by:

- (1) Moving the placement of the Career and Technical Education Coordinating Advisory Council from the University of Hawaii to the Department of Labor and Industrial Relations for the purpose of complying with section 6, Article V of the Hawaii State Constitution; 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. 1567, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1567, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 789      Ways and Means on S.B. No. 1413**

The purpose and intent of this measure is to require the Board of Regents of the University of Hawaii to allow students to qualify for resident tuition fees for any semester beginning within two years of that student's graduation from a high school in Hawaii.

Your Committee received written comments in support of this measure from the University of Hawaii, University of Hawaii Board of Regents, and Department of Education.

Your Committee received written comments on this measure from the Department of the Attorney General.

Your Committee finds that some University of Hawaii students experience nontraditional family arrangements or are unaware of their parents' or caregivers' tax filings. This may create difficulties for those students to satisfy the University of Hawaii's

qualifications for resident tuition fee. This measure will make college more accessible by helping to streamline the process for Hawaii high school graduates to qualify for the lower tuition fee.

Your Committee has amended this measure by:

- (1) Clarifying that students who previously qualified for resident tuition fee under the expanded requirements may continue to be qualified for resident tuition fee throughout their undergraduate degree program for periods following a date two years after high school graduation; 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. 1413, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1413, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 790      Ways and Means on S.B. No. 1411**

The purpose and intent of this measure is to improve the administration of drug and alcohol toxicology testing.

Specifically, the measure:

- (1) Specifies that moneys in the state highway fund may be expended for the cost of establishing and maintaining a drug and alcohol toxicology testing laboratory;
- (2) Renames the state drug and alcohol toxicology testing laboratory special fund to remove the word “state”;
- (3) Specifies that moneys in the drug and alcohol toxicology testing laboratory special fund shall be administered and expended by the Department of Transportation or appropriated as a grant-in-aid to the Emergency Services Department of the City and County of Honolulu;
- (4) Prior to each of the Regular Sessions of 2025 and 2026, requires the Department of Health and City and County of Honolulu to submit to the Legislature a report on the expenditures made from the drug and alcohol toxicology testing laboratory special fund; and
- (5) Appropriates moneys from the state highway fund into the drug and alcohol toxicology testing laboratory special fund.

Your Committee received written comments in support of this measure from Department of Transportation, City and County of Honolulu Emergency Services Department, and one individual.

Your Committee finds that improving highway safety and protecting the lives of community members and visitors should be high priorities. Your Committee believes that establishment of a drug and alcohol toxicology testing laboratory, which will be facilitated by this measure, will provide law enforcement personnel and adjudicators with the resources necessary to protect the public from impaired drivers.

Your Committee has amended this measure by:

- (1) Replacing certain references to the City and County of Honolulu with references to a county with a population of five hundred thousand or more;
- (2) Authorizing the unspecified sums appropriated out of the drug and alcohol toxicology testing laboratory special fund to be appropriated as a grant-in-aid to the City and County of Honolulu;
- (3) Clarifying language intended to prevent the untimely lapsing of funds;
- (4) Requiring the Department of Transportation, rather than the Department of Health, to share responsibility with the City and County of Honolulu to submit the measure’s mandatory reports to the Legislature;
- (5) Making conforming amendments to certain session laws to conform to the extended repeal date of the drug and alcohol toxicology testing laboratory special fund;
- (6) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure;
- (7) Inserting a proviso to the effective date to ensure that the appropriations within the measure will take effect at the beginning of a fiscal year; 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. 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, 13. Noes, none. Excused, none.

**SCRep. 791      Ways and Means on S.B. No. 1120**

The purpose and intent of this measure is to facilitate the display of art in public places.

Specifically, the measure:

- (1) Requires the State Art Museum to provide opportunities for the counties and private organizations located in the State to display art through loan arrangements with the State Foundation on Culture and the Arts; provided that certain loan arrangements may be subject to a fee determined by the Foundation;
- (2) Provides that in the acquisition of art funded through the works of art special fund, artists residing in the State shall receive a selection preference; and
- (3) Requires the State Foundation on Culture and the Arts to submit to the Legislature an inventory report on works of art under the art in public places program.

Your Committee received written comments on this measure from the State Foundation on Culture and the Arts.

Your Committee finds that the display of art in public places is an educational experience. Your Committee believes that an art loan program, as proposed by this measure, may increase the prevalence of publicly-displayed art and help the promotion of art.

Your Committee notes that article III, section 14, of the Constitution of the State of Hawaii provides that each law shall embrace but one subject, which shall be expressed in its title. Thus, the scope of the title cannot be narrower than the scope of the subject matter of the bill. The title of the measure is "A Bill for an Act Relating to the Works of Art Special Fund." However, sections 1 and 3 of the measure do not specifically address the special fund. Your Committee also notes that the measure's preference for artists who are state residents may face questions about its constitutionality. Accordingly, your Committee respectfully suggests that the bill's proponents may wish to contact the Attorney General, or the Senate Majority Attorney, as appropriate, to determine if the foregoing issues pose constitutional problems.

Your Committee has amended this measure by:

- (1) Providing that fees collected pursuant to certain loan arrangements authorized by the measure shall be deposited into the works of art special fund; 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. 1120, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1120, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 792      Ways and Means on S.B. No. 1046**

The purpose and intent of this measure is to establish a vehicle weight tax exemption for noncommercial motor vehicles registered to veterans.

Your Committee received written comments in support of this measure from the Department of Defense, Office of Veterans' Services; Environmental Caucus of the Democratic Party of Hawaii; Military Affairs Council; Oahu Veterans Council and Center; and three individuals.

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 exempting from the vehicle weight tax, noncommercial motor vehicles registered to veterans is an appropriate way to provide financial relief to service members who served to protect the freedom and liberties of their fellow citizens.

Your Committee has amended this measure by making a technical nonsubstantive amendment for 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 S.B. No. 1046, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1046, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 793      Commerce and Consumer Protection on S.B. No. 415**

The purpose and intent of this measure is to hold general contractors entering into or under contracts in the State for work on buildings, structures, or other private works liable for debt incurred by subcontractors for wages due to claimants for performance of labor in the contract between the general contractor and owner.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Hawaii Regional Council of Carpenters. Your Committee received testimony in opposition to this measure from Associated Builders and Contractors, Subcontractors Association of Hawaii, and one individual. Your Committee received comments on this measure from the General Contractors Association of Hawaii.

Your Committee finds that for state construction projects, a general contractor is the party in direct privity with the State and is responsible for the day-to-day oversight of the construction project. A general contractor often subcontracts for specialized work to satisfy its obligations under its contract with the State. If a general contractor hires a subcontractor who fails to pay its employees'

wages, the employee has no recourse against the general contractor. This measure holds general contractors liable for a subcontractor's failure to pay its employees for certain construction projects.

Your Committee notes the concerns raised in testimony that an amendment to the definition of "employer" in Hawaii's wage laws is necessary for this measure to be enforceable.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language amending the definition of "employer" in section 388-1, Hawaii Revised Statutes, to include general contractors for purposes of wages owed to a subcontractor's employees; 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. 415, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 415, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Richards). Noes, none. Excused, 1 (McKelvey).

**SCRep. 794 Commerce and Consumer Protection on S.B. No. 479**

The purpose and intent of this measure is to:

- (1) Require a water common carrier to receive approval from the Public Utilities Commission (PUC) before entering into long-term leases of more than five years, instead of three years; and
- (2) Clarify that a water common carrier must receive approval from the PUC before entering into leverage leases for waterborne vessels.

Your Committee received testimony in support of this measure from Young Brothers, LLC; Matson Navigation Company, Inc.; and Hawaii Harbor Users Group. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs and one individual. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that the ability for residents and business to move goods between the islands at affordable rates is critical to the neighbor island communities' economic well-being, as they are reliant on the interisland cargo services that water common carriers provide. Long-term leases and leverage lease agreements impact and add to a water common carriers' costs which in turn, are a component of the rates that water common carriers impose on residents and businesses. Under existing law, a water common carrier must receive approval from the PUC before entering into a long-term lease of more than three years or a leverage lease. However, the approval process can impede a water common carrier's ability to timely secure needed equipment or property. This measure would narrow the scope of the types of leases that require approval and provide water common carriers greater flexibility in entering into leases without PUC approval.

Your Committee notes concerns raised in testimony that underscores the importance of the PUC retaining the ability to approve certain leases in order to protect consumers. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required PUC approval for leases longer than five years and leverage leases for leases of water-borne vessels and inserting language exempting from the requirement that a water common carrier secure the prior approval of the PUC to issue stocks and stock certificates and enter long-term leases of more than three years and leverage leases:
  - (A) Land leases from a governmental entity; provided that either the water common carrier or governmental entity provides a letter to the commission outlining terms of the lease agreement in a reasonable timeframe after the agreement is executed; and
  - (B) Leases of any equipment of which the annual cost of the lease is below a threshold as determined by the commission in the most recently approved rate case or other ratemaking proceeding; 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. 479, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 479, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 795 Commerce and Consumer Protection on S.B. No. 1038**

The purpose and intent of this measure is to:

- (1) Clarify reimbursement for services provided through telehealth via an interactive telecommunications system, consistent with the 2023 Medicare Physician Fee Schedule; and
- (2) Define "interactive telecommunications system".

Your Committee received testimony in support of this measure from the Department of Human Services; University of Hawai'i System; AARP Hawai'i; Alzheimer's Association; American Cancer Society Cancer Action Network; Hawaii Medical Association;

Hawai'i Pacific Health; Hawai'i Primary Care Association; Hawai'i Public Health Institute; Hawaiian Islands Association for Marriage and Family Therapy; Hawai'i Psychological Association; National Association of Social Workers, Hawai'i Chapter; Kapolei Chamber of Commerce; Epilepsy Foundation of Hawaii; and two individuals. Your Committee received comments on this measure from the Department of the Attorney General and Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that the State faces a continued shortage of health care providers, particularly on the neighbor islands and in rural areas. The definition of "telehealth" has traditionally required both audio and video capabilities and excluded standard telephone contacts. However, elderly, as well as medically- and socially-complex patients often face limited broadband access and personal difficulty navigating the technological requirements of accessing traditional video telehealth care services. In these instances, telephonic communication has become a viable alternative for many in these communities to overcome barriers enabling them to access health care remotely. Including audio-only communication in the definition of "interactive telecommunications system" in certain circumstances, will allow these patients to better access and utilize the telehealth option.

Your Committee further finds that interested stakeholders in the health care community have had the opportunity to discuss potential amendments to this measure to further clarify the reimbursement provisions for audio-only communication. Amendments to this measure are therefore necessary to incorporate this consensus language.

Accordingly, your Committee has amended this measure by:

- (1) For provisions of the measure relating to private insurers, inserting language requiring that two-way, real time audio-only communication technology for purposes of diagnosis, evaluation, or treatment of a mental health disorder to a patient in their home be reimbursed at eighty percent of the same services provided via face-to-face contact between a health care provider and a patient, under certain conditions;
- (2) Inserting a repeal date of December 31, 2025; and
- (3) 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. 1038, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1038, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 796 Commerce and Consumer Protection on S.B. No. 1057**

The purpose and intent of this measure is to require job listings to disclose the hourly rate or salary range reasonably reflecting the actual expected compensation.

Your Committee received testimony in support of this measure from Fujiwara and Rosenbaum, LLLC; American Association of University Women of Hawaii; Hawaii Appleseed Center for Law and Economic Justice; Hawai'i State Democratic Women's Caucus; Hawai'i Women Lawyers; and twelve individuals. Your Committee received testimony in opposition to this measure from the Society of Human Resource Management Hawaii and Retail Merchants of Hawaii.

Your Committee finds that when employers are not transparent about pay, gender and racial wage gaps widen, and women and people of color receive less pay for the same or similar work. Research shows that pay negotiations are unfavorable to women and employers tend to perceive women negatively and as greedy and aggressive when they negotiate. Consequently, women's negotiations are less likely to be met with higher pay and promotions. When a company publicly posts salary ranges, it incentivizes them to proactively review and evaluate their compensation practices and address any unjustified disparities between employees. This measure helps reduce pay inequality by requiring employers to be transparent about a job opening's pay or salary.

Your Committee acknowledges the concerns raised by several testifiers that while this measure will help reduce pay inequality, it does not go far enough to ensure pay equality for people in protected categories for substantially similar work performed by other employees. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language prohibiting an employer from discriminating between employees because of any protected category, including race; sex, including gender identity or expression; sexual orientation; age; religion; color; ancestry; disability; marital status; arrest and court record; reproductive health decision; or domestic or sexual violence victim status in certain circumstances, by paying wages to employees in an establishment at a rate less than the rate at which the employer pays wages to other employees in the establishment for substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and that are performed under similar working conditions;
- (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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1057, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1057, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4; Ayes with Reservations (Richards). Noes, none. Excused, 1 (McKelvey).

**SCRep. 797 (Majority) Commerce and Consumer Protection on S.B. No. 1104**

The purpose and intent of this measure is to:

- (1) Amend the definition of “cannabis” to include cannabis propagules, cuttings, and seeds;
- (2) Define “cannabis cutting” and “cannabis propagule”;
- (3) Allow qualifying patients and primary caregivers who are authorized to cultivate cannabis for medical use to purchase cannabis propagules, cuttings, and seeds from licensed dispensaries in the State under certain conditions;
- (4) Establish quantity limits and quality requirements for the dispensing of cannabis propagules, cuttings, and seeds; and
- (5) Require the Department of Health to adopt rules regarding the dispensing of cannabis propagules, cuttings, and seeds.

Your Committee received testimony in support of this measure from Maui Grown Therapies and two individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that existing State law authorizes qualified medical cannabis patients and caregivers to cultivate a limited number of plants at a location that a patient or caregiver owns or controls, but the law does not address how patients can acquire propagative material. Your Committee further finds that existing laws force patients or their primary caregivers to resort to obtaining propagative material through illicit means, which can result in material with unknown genetic provenance or poor therapeutic value. Thus, this measure includes cannabis propagules, cuttings, and seeds in the definition of “cannabis” to establish a legal, transparent channel for the distribution and testing of propagative material through licensed dispensaries 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 is in accord with the intent and purpose of S.B. No. 1104, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 798 Commerce and Consumer Protection on S.B. No. 1135**

The purpose and intent of this measure is to require cash or protest bonds to be returned to an unsuccessful initiating party, minus administrative costs, except in cases where the appeal is found to be frivolous or made in bad faith.

Your Committee received testimony in support of this measure from the General Contractors Association of Hawaii; Hawaii Operating Engineers Industry Stabilization Fund Political Action Committee; Ralph S. Inouye Co., Ltd.; Subcontractors Association of Hawaii; and one individual.

Your Committee finds that only seven states in the county impose a bond requirement to submit a bid protest or seek an appeal of a bid protest decision. Of these seven states, Hawaii is the only one to impose immediate forfeitures of the bond to the State’s general fund if a protestor loses an appeal. Your Committee further finds that a policy designed to deter appeals has the effect of deterring legitimate appeals, which works at the disservice of the public. Thus, this measure incorporates an approach recommended by the National Association of State Procurement officials to fairly evaluate bid protests and help ensure a level playing field for all vendors.

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. 1135 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

**SCRep. 799 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 1378**

The purpose and intent of this measure is to:

- (1) Clarify that any person, corporation, or entity is prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility; and
- (2) Repeal the provision that allows a landlord to be exempt from care facility licensure if the landlord permits a tenant to receive care services from licensed care providers and the landlord does not require a tenant to use or pay for care services as a condition of the rental agreement (“landlord exclusion”).

Your Committees received testimony in support of this measure from the Department of Health.

Your Committees find that the Department of Health has investigated a troubling number of aging-in-place care homes masquerading as rental homes with multiple unrelated tenants all requiring care services. Although these rental homes meet the definition of an adult residential care home, which would require licensure under existing law, the owners of these rental homes cite the landlord exclusion to avoid the State’s enforcement and licensing requirements. These homes, along with the caregiver services provided at these homes, should be inspected to ensure that their residents are not living in conditions that could be hazardous to their health, safety, or welfare. This measure repeals the landlord exclusion, thereby ensuring that homes and facilities providing care services meet certain health and safety standards to be enforced by the Department of Health.

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. 1378, 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, none.  
Judiciary: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).



**SCRep. 800 Health and Human Services on S.B. No. 715**

The purpose and intent of this measure is to designate the month of September as Fetal Alcohol Spectrum Disorder Awareness Month to promote public awareness of the risks of alcohol consumption during pregnancy.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, Hawaii Fetal Alcohol Spectrum Disorders (FASD) Action Group, Hawai'i Public Health Institute, and nine individuals.

Your Committee finds that prenatal alcohol exposure is the most commonly known cause of preventable birth defects and developmental disorders in the United States. Your Committee also finds that one in twenty children in the United States are born with Fetal Alcohol Spectrum Disorder (FASD), an umbrella term that encompasses the wide array of physical and neurobehavioral developmental disorders caused by in-utero exposure to alcohol. According to testimony received by your Committee, despite data showing FASDs to be more prevalent than autism spectrum disorders, at least ten percent of pregnant women still drink during pregnancy. Furthermore, due to the complex, subtle, and often undetectable nature of FASDs, the preventable lifelong brain-based disorders are often not recognized by parents, providers, educators, probation officers, homeless advocates, and society in general, thereby leaving many individuals with FASDs undiagnosed or misdiagnosed and improperly or not treated. This measure will promote the public's awareness of the risks of alcohol consumption during pregnancy, increase awareness and understanding of the various symptoms of FASDs, and help individuals with FASD and their families receive the necessary support.

Your Committee acknowledges the testimony of the State Council on Developmental Disabilities requesting an appropriation of \$35,000 to organize outreach events to ensure that an annual public awareness campaign preventing FASD can be established within the State. Your Committee finds that this request merits further consideration and requests that subsequent committees that may deliberate on this measure as it progresses through the legislative process consider the funding request.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 715 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. 801 Commerce and Consumer Protection on S.B. No. 438**

The purpose and intent of this measure is to:

- (1) Reduce the period for which an application shall be considered abandoned from two years to one year after specified notices are provided;
- (2) Specify the conditions under which applications for licenses and examinations will be deemed abandoned;
- (3) Provide that the one-year period after which an application is considered abandoned cannot be extended;
- (4) Provide that a licensing authority shall not be required to act on and may destroy any abandoned applications; and
- (5) Clarify that an application submitted after an abandoned application shall be treated as a new application and that the applicant shall comply with any new licensing requirements in effect at the time of the new application.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and Board of Nursing.

Your Committee finds that the Vocational Licensing Division of the Department of Commerce and Consumer Affairs (Division) has experienced a higher than usual backlog of certain health care licensing applications. Many health care workers who intend to be in the State on a temporary basis apply for licensure, but fail to complete the application process prior to leaving the State. Currently, applications must be held open for a period of two years. This measure reduces the amount of time an application must be held open from two years to one year, thereby reducing the volume of applications that the Division must treat as pending, thus allowing the Division to direct its resources to applications requiring active attention.

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. 438 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. 802 Judiciary on S.B. No. 1187**

The purpose and intent of this measure is to increase the post-employment lobbying restriction for former legislators from twelve months to twenty-four months.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Animal Rights Hawai'i, and two individuals.

Your Committee finds that it is in the public interest to keep a distinct wall of separation between lobbyists and the State's elected officials. Creating an element of durational separation between former legislators and their former colleagues prior to any formal representation of private interests before these colleagues would promote good governing. Accordingly, this measure maintains the public's trust in state government by extending current post-employment lobbying restrictions for state legislators.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1187 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. 803      Judiciary on S.B. No. 1179**

The purpose and intent of this measure is to protect the State's democratic self-governance by:

- (1) Prohibiting foreign entities and foreign-influenced business entities from making independent expenditures, electioneering communications, or contributions to candidates or committees, or contributions or donations to other persons earmarked for those purposes;
- (2) Requiring every business entity that contributes or expends funds in a state election to file a statement of certification regarding its status as a foreign-influenced business entity or foreign corporation; and
- (3) Requiring noncandidate committees making only independent expenditures to obtain a statement of certification from each top contributor required to be listed in an advertisement.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, League of Women Voters of Hawaii, Center for American Progress, Free Speech for People, and five individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that political spending by foreign-influenced business entities can weaken, interfere with, or disrupt Hawaii's democratic self-governance and the trust that the electorate has in its elected representatives. Your Committee believes that existing law does not adequately protect against foreign interference through corporate political spending by United States corporations with significant foreign ownership. This measure will protect the integrity of Hawaii's democratic self-government by preventing foreign-influenced business entities from influencing Hawaii's elections through political spending.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2026; 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. 1179, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1179, 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. 804      (Majority) Judiciary on S.B. No. 944**

The purpose and intent of this measure is to extend and modify the task force established by Act 201, Session Laws of Hawaii 2021, to recommend amendments to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights to December 31, 2024.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Hawai'i Women Lawyers, Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Northshore Ko'olau Diversity Collective, and three individuals. Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the Judiciary, Department of Health, Donor Sibling Registry, and two individuals.

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 updates and extends a task force to recommend amendments to the Hawaii Revised Statutes to update existing paternity laws to reflect modern concepts of family, parenthood, and parental rights.

Your Committee has amended this measure by:

- (1) Rather than extending and modifying the task force established by Act 201, Session Laws of 2021, establishing a new task force for the same purpose;
- (2) Specifying that the 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 2025;
- (3) Inserting an effective date of March 22, 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. 944, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 944, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4; Ayes with Reservations (Gabbard). Noes, 1 (Awa). Excused, none.

**SCRep. 805      Judiciary on S.B. No. 933**

The purpose and intent of this measure is to allow petitioners of temporary restraining orders to remotely attend temporary restraining orders hearings when:

- (1) Domestic violence or intimate partner violence is alleged; or
- (2) The petitioner has been diagnosed with post-traumatic stress disorder.

Your Committee received testimony in support of this measure from the Institute for Human Services, Inc.; Hawai'i State Coalition Against Domestic Violence; Hawai'i Women Lawyers; Restraining Orders without Borders; and three individuals. Your Committee received comments on this measure from the Judiciary and one individual.

Your Committee finds that since the onset of the coronavirus disease 2019 pandemic, there has been an increase in gender-based violence against women in Hawaii, particularly through domestic and intimate partner violence. Your Committee further finds that survivors of domestic and intimate partner violence often lack access to transportation and paid time off, which can make mandatory in-person hearings especially burdensome for petitioners. According to testimony received by your Committee, this measure would result in greater safety for victims of domestic violence, while ensuring economic justice and equitable access to the courts. Your Committee recognizes that there are concerns relating to the broad language requiring a diagnosis of post-traumatic stress disorder in this measure.

Accordingly, your Committee has amended this measure by:

- (1) Amending language to limit petitioners of temporary restraining orders to attend hearings remotely only when domestic abuse is alleged;
- (2) Amending section 1 to reflect its amended purpose; 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 S.B. No. 933, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 933, 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. 806      (Majority) Judiciary on S.B. No. 926**

The purpose and intent of this measure is to provide pedestrians with greater freedom by allowing them to cross the street when a reasonably careful pedestrian would determine it is safe to do so.

Your Committee received testimony in support of this measure from Hawai'i Public Health Institute and seven individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation, Honolulu Police Department, and one individual. Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that existing laws relating to pedestrians are needlessly restrictive and have a disproportionate impact on people who do not drive and who primarily rely upon walking as a means of transportation. Additionally, in many situations, the perception and judgment of pedestrians can be more effective in mitigating injuries than traffic lights or street markings. Your Committee believes that pedestrians should be trusted to cross the street when the absence of oncoming traffic makes it reasonably safe to cross. This measure will provide pedestrians with greater freedom to make determinations about the safety conditions of vehicular traffic.

Your Committee has amended this measure by:

- (1) Inserting an effective date of March 22, 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. 926, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 926, 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 (Elefante). Excused, none.

**SCRep. 807      Ways and Means on S.B. No. 1469**

The purpose and intent of this measure is to appropriate moneys to the Hawaii Technology Development Corporation for the development of the first responders technology campus and cybersecurity data center.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Department of Defense, Department of Law Enforcement, Hawaii Community Development Authority, Hawaii Emergency Management Agency, Hawaii Technology Development Corporation, Office of Enterprise Technology Services, Honua Consulting, and three individuals.

Your Committee received testimony in opposition to this measure from 350Hawaii, Kauai Women's Caucus, Malama Kauai, Our Revolution Hawaii, and numerous individuals.

Your Committee received comments on this measure from one individual.

Your Committee finds that the development of a first responders technology campus and cybersecurity data center in central Oahu, outside of the inundation zone, will ensure that the critical infrastructure and data systems needed for state and county first responders are not impacted by sea level rise.

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. 1469, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1469, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Kidani).

**SCRep. 808      Ways and Means on S.B. No. 303**

The purpose and intent of this measure is to appropriate moneys for operating and capital improvement grants for fiscal year 2023-2024.

Your Committee received testimony in support of this measure from Hawaii Youth Services Network; West Hawaii Community Health Center; Aloha House, Inc.; Parents And Children Together; Laiopua Community Development Corporation; Waimanalo Health Center; Kokua Kalihi Valley; Hawaii Primary Care Association; Waiohuli Hawaiian Homesteaders Association; Hana Health; Hawai'i Parkinson Association; Laiopua 2020; Lana'i Community Health Center; Epilepsy Foundation of Hawaii; and one individual.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the moneys appropriated by this measure will assist Hawaii's private organizations to provide essential and impactful services to residents and communities.

Your Committee has amended this measure by:

- (1) Adding a legislative finding that the grants made pursuant to Chapter 42F, Hawaii Revised Statutes, under this measure are in the public interest and for the public health, safety, and general welfare;
- (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. 303, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 303, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Kidani).

**SCRep. 809      Ways and Means on S.B. No. 1437**

The purpose and intent of this measure is to authorize certain pass-through entities to elect to pay Hawaii income tax at the entity level.

Your Committee received testimony in support of this measure from the General Contractors Association of Hawaii, Goodfellow Bros. Inc., Maui Brewing Co., Maui Chamber of Commerce, Pas De Deux Hawaii, and Trilogy Corporation.

Your Committee received comments on this measure from the Department of Taxation; Grassroot Institute of Hawaii; Pacific Rim Land, Inc; and Tax Foundation of Hawaii.

Your Committee finds that the federal Tax Cuts and Jobs Act of 2017 capped the state and local tax deduction for individuals at \$10,000 for the 2018-2025 taxable years, which deprived individual taxpayers of significant federal tax benefits. Your Committee also finds that, in response, several states have enacted laws to authorize certain pass-through entities to elect to pay state income tax at the entity level, thus bypassing the \$10,000 cap amount. Your Committee believes that this measure will help Hawaii's small businesses by allowing taxpayers to deduct Hawaii state income taxes paid on their federal income tax returns.

Your Committee notes the Department of Taxation's concern that the measure will require significant tax form and system changes and its request that the measure take effect no earlier than January 1, 2025.

Your Committee has amended this measure by:

- (1) Providing that the credit provided by the measure to a member of an electing pass-through entity for the member's pro rata share of taxes paid to another state shall be refundable;
- (2) Adding a Ramseyer clause to denote statutory amendments;
- (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. 1437, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1437, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Kidani).

**SCRep. 810 Commerce and Consumer Protection on S.B. No. 477**

The purpose and intent of this measure is to require the Public Utilities Commission (PUC) to complete its review and issue a decision within nine months from the date that a public utility, other than an investor-owned electric utility company, files its completed application seeking approval for a merger, consolidation, acquisition, or other change of control, and within twelve months from the date of the application for an investor-owned electric utility company.

Your Committee received testimony in support of this measure from Hawaiian Telcom. Your Committee received testimony in opposition to this measure from Life of the Land. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committee finds that the telecommunications market in the State is highly competitive both in terms of consumer and business service offerings and workforce talent. There are currently more than two hundred companies authorized by the Public Utilities Commission to provide telecommunications services in the State. Greater certainty on the maximum length of time it takes to process change of control or merger applications would be beneficial to telecommunications companies to minimize loss of customers and employees. This measure requires the PUC to complete its review within nine months for certain public utility applications seeking approval for a merger, consolidation, acquisition or other change of control or within twelve months for investor-owned electric utility companies.

Your Committee acknowledges the concerns raised in testimony that placing a time restriction on the PUC's application review may hamper the PUC's ability to make an informed decision on what could be a complicated merger. Thus, amendments to this measure are necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that, rather than completing its review and issuing a decision within the prescribed time period, the PUC shall make every effort to complete its review of applications for merger, consolidation, acquisition, or other change of control, within the prescribed time;
- (2) Inserting a provision requiring the PUC to, if a decision is rendered after the relevant nine- or twelve-month period, submit a report to the Legislature in writing, on paper or electronically, detailing the reasons for failing to meet the prescribed time period within thirty days after rendering the decision;
- (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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 477, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 477, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4; Ayes with Reservations (Richards). Noes, none. Excused, 1 (McKelvey).

**SCRep. 811 (Majority) Commerce and Consumer Protection on S.B. No. 476**

The purpose and intent of this measure is to exempt a public utility from the required Public Utilities Commission (PUC) authorization when disposing of a fully depreciated asset or property with a zero net book value.

Your Committee received testimony in support of this measure from Hawaiian Electric. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committee finds that existing law requires a utility company to obtain approval from the PUC for each asset or property it seeks to dispose of or donate. These assets often have minimal remaining value, and therefore the benefit of going through a PUC proceeding may not be worth the time and administrative resources required. This measure allows utilities to efficiently dispose of these assets and decreases the workload for the PUC and Division of Consumer Advocacy, which currently must review these routine transactions.

Your Committee acknowledges the testimony of the Department of Commerce and Consumer Affairs and PUC, which raised concerns that although an asset is fully depreciated or has a zero book value for accounting purposes, it may still have actual value. Therefore, amendments to this measure are necessary to ensure that consumers benefit from any potential windfall gained from the sale of a fully depreciated or zero net book value asset that has actual value.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that a public utility or water carrier does not need authorization from the PUC if the public utility or water carrier is disposing at a loss or donating a fully depreciated asset or property with a zero net book value that is no longer used or useful; 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 476, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 476, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 812 (Majority) Commerce and Consumer Protection on S.B. No. 434**

The purpose and intent of this measure is to:

- (1) Require sponsored captive insurance companies to maintain separate protected cells for separate participant contracts;
- (2) Authorize captive insurance companies, other than risk retention captive insurance companies, to apply for an exemption from examination from the Insurance Commissioner, provided certain conditions are met;
- (3) Require protected cells established by sponsored captive insurance companies to be approved by the Insurance Commissioner;
- (4) Authorize sponsored captive insurance companies to establish and maintain protected cells to insure risks of parties unaffiliated with a participant under certain circumstances; and
- (5) Require a participant, through a sponsored captive insurance company, to insure only risks approved by the Insurance Commissioner.

Your Committee received testimony in support of this measure from the Hawaii Captive Insurance Council; Freeman Decorating, Co.; Aon Insurance Managers, Inc.; and one individual. Your Committee received testimony in opposition to a portion of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that Hawaii has two hundred fifty-five licensed and operating captive insurance companies whose parent companies are headquartered across the United States, Japan, and Europe. This industry provides meaningful economic benefit to Hawaii, including local, professional job opportunities, and it is estimated that the captive industry contributes nearly \$67,000,000 to Hawaii's economy annually. This measure ensures that state law is flexible to support the captive industry domiciled in Hawaii; and that the regulatory environment remains responsive and efficient to incentivize prospective captive owners to choose to do business 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 434, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 434, 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 (Awa). Excused, none.

**SCRep. 813 Commerce and Consumer Protection on S.B. No. 717**

The purpose and intent of this measure is to:

- (1) Expand the definition of "beer" under the liquor regulatory laws to mean any alcoholic beverage containing no less than 0.5 percent alcohol by volume obtained by fermentation of any infusion or decoction of malt or any substitute, including alcohol seltzer beverages and excluding sake, cooler beverages, and other distilled products; and
- (2) Authorize brewpubs to sell beer they manufacture, or beer manufactured on their premises, subject to certain conditions.

Your Committee received testimony in support of this measure from Maui Brewing Co., Lanikai Brewing Co., Big Island Brewhaus, and Kauai Beer Company.

Your Committee finds that under existing law, the term "beer" is defined as any beverage obtained by the alcoholic fermentation of barley or other grain, malt, and hops. However, craft beer brewers across the country have created a wider range of beer styles with a variety of additional ingredients in their recipes including other types of grains as base ingredients, other fermentable sugar sources, and brewed hard seltzers. Under federal Alcohol and Tobacco Tax and Trade Bureau regulations, both malt-based and sugar-based hard seltzers are considered "beer". This measure aligns the term "beer" to more closely follow the definition used for "beer" under the Internal Revenue Code, federal regulations, and standards in the craft beer brewing industry to promote expanded local production opportunities.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 717, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 717, 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. 814 Judiciary on S.B. No. 197**

The purpose and intent of this measure is to:

- (1) Increase from \$1,000 to \$5,000 the fine amount that may be assessed against a noncandidate committee making only independent expenditures that has received at least one contribution of more than \$10,000, or spent more than \$10,000 in an election period, for campaign spending law violations; and
- (2) Allow the Campaign Spending Commission to order the fine be up to three times the amount of the unlawful contribution or expenditure, and to order 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, Commission to Improve Standards of Conduct, League of Women Voters of Hawaii, and three individuals.

Your Committee finds that the Campaign Spending Commission is funded by various sources and enforces the State's campaign finance laws, including the assessment of fines for campaign spending violations. Increasing campaign spending violation fines and allowing the Campaign Spending Commission to recover costs incurred from violators enables the Commission to maintain adequate funding and continue to deter potential violators, including political action committees that make only independent expenditures. Implementation of this measure promotes the integrity and transparency of the campaign finance process and ensures the continued enforcement of the State's campaign finance laws.

Your Committee has amended this measure by:

- (1) Specifying that the payment of any fine assessed against a noncandidate committee, or any portion thereof, be paid from the noncandidate committee or, if the noncandidate committee cannot pay, then from the personal funds of the candidate or officers of the noncandidate committee; 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. 197, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 197, 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. 815      Judiciary on S.B. No. 201**

The purpose and intent of this measure is to extend the ban on campaign contributions from state and county contractors to grantees of the State under chapter 42F, Hawaii Revised Statutes, and to the owners, officers, employees, and immediate family of the government contractor or state grantee.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Department of the Attorney General, Commission to Improve Standards of Conduct, and three individuals.

Your Committee finds that it is common for contractors to circumvent the ban on campaign contributions from state and county contractors by having persons connected to the contractor make political contributions. A few of these situations also involve false name contributions where the contributors are reimbursed for their contributions. Grantees, similar to contractors, receive state funds and thus should be treated similarly in the context of political contributions. This measure will help to prevent the corruption, or at least the appearance of corruption, of elected officials.

Based on concerns raised in testimony that this measure's application is overbroad, your Committee has amended this measure by removing employees of any state or county contractor from those who are banned from making campaign contributions.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 201, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 201, 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. 816      Judiciary on S.B. No. 1267**

The purpose and intent of this measure is to:

- (1) Allow nonresidents to apply for a temporary restraining order or order for protection in cases of domestic abuse; and
- (2) Allow nonresidents to apply for a temporary restraining order and an injunction from further harassment.

Your Committee received testimony in support of this measure from Restraining Orders Without Borders, Rainbow Family 808, Hawai'i State Coalition Against Domestic Violence, and eleven individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that states inconsistently apply case law and the minimum contacts requirement when determining jurisdiction in cases of interstate sexual and domestic violence. As a result, courts are denying restraining orders to resident survivors due to jurisdiction concerns over a nonresident offender, leaving the survivor to turn to the offender's court for protection. In Hawai'i, this is not possible, as a nonresident may not petition for a restraining order. This measure will protect nonresident victims from their harasser in the State.

Your Committee heard the testimony of the Judiciary, and accordingly has amended this measure by:

- (1) Specifying that an application for a temporary restraining order may be filed in the family court in the circuit in which:

- (A) The petitioner resides or is temporarily located;
  - (B) The respondent resides;
  - (C) The subject of the petition, a petitioner's family or household member who is a minor or who is an incapacitated person, or who is physically unable to go to the appropriate place to complete or file the petition, resides or is temporarily located; or
  - (D) The domestic abuse occurred; and
- (2) Specifying that any person who has been subjected to harassment may petition the district court for a temporary restraining order and an injunction from further harassment in the district in which:
- (A) The petitioner resides or is temporarily located;
  - (B) The respondent resides; or
  - (C) The harassment occurred.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1267, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1267, 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. 817      Agriculture and Environment on S.B. No. 637**

The purpose and intent of this measure is to amend hemp processing rules to allow licensed hemp farmers to process hemp in agricultural structures and buildings that are permit-exempt under section 46-88, Hawaii Revised Statutes, as well as food hubs and agricultural parks, as was allowed prior to 2021.

Your Committee received testimony in support of this measure from Hawaii Farmers Union United; Hawai'i Hemp Farmers Association; Maui Farmers Union; Hydroponics Alternatives, LLC; Hawai'i Farm Bureau; and seventeen individuals. Your Committee received testimony in opposition to this measure from the Department of Health and one individual. Your Committee received comments on this measure from the Department of Agriculture and one individual.

Your Committee finds that prior to 2021, Hawaii licensed hemp producers processed small batches of hemp on their farms in agricultural buildings and structures while also regularly using them to store and process other crops without restrictions. However, in 2021, new hemp processing rules were adopted that unintentionally eliminated a farmer's ability to process hemp on their farm and in state-defined agricultural buildings. Your Committee further finds that due to the current rules adopted in 2021, hemp farmers now rely on off-site hemp processing that creates unnecessary processing and shipping costs and also diminishes the overall quality of transported hemp crops. Thus, this measure allows licensed hemp farmers to process hemp on their farms in agricultural structures and in food hubs and agricultural parks.

Your Committee has amended this measure by:

- (1) Inserting language to specify that permissible hemp processing in an enclosed indoor agricultural facility does not include heat or volatile compounds or gases under pressure, such as cold water extraction; 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. 637, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 637, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

**SCRep. 818      (Majority) Commerce and Consumer Protection on S.B. No. 1325**

The purpose and intent of this measure is to:

- (1) Align the State's money transmitters law with provisions of the Model Money Transmitters Modernization Act; and
- (2) Authorize the State to share resources, data, and technology tools with other states.

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 one individual.

Your Committee finds that the business of money transmitters has evolved with advances in financial technology. However, the State's existing laws regulating money transmitters have not kept pace with the advances in technology and provide insufficient consumer protection. This measure aligns the State's money transmitters law with the Model Money Transmitters Modernization Act, thus providing the benefit of a stronger multi-state system of financial regulation.

Your Committee has amended this measure by:

- (1) Deleting the reference to the "Act" and inserting the appropriate Hawaii Revised Statutes chapter adopting the Model Money Transmitters Modernization Act;
- (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. 1325, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1325, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 819 Commerce and Consumer Protection on S.B. No. 1327**

The purpose and intent of this measure is to authorize the Public Utilities Commission to use electronic filing processes, including electronic service of documents, to conform to the provisions of chapters 269 (Public Utilities Commission), 271 (Motor Carriers), and 271G (Water Carriers), Hawaii Revised Statutes, and current practices.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Public Utilities Commission; Young Brothers, LLC; and Hawaiian Telcom, Inc.

Your Committee finds that various provisions in chapters 269 (Public Utilities Commission), 271 (Motor Carriers), and 271G (Water Carriers), Hawaii Revised Statutes, require the Public Utilities Commission (PUC) to employ hard copy service or filing. Hard copy filings to the PUC are often very lengthy, sometimes exceeding ten thousand pages and filling ten to fifteen boxes. In response to the coronavirus disease 2019 pandemic, temporary emergency orders were issued to allow for all electronic filings to the PUC. As a result, the PUC's filing process became dramatically streamlined and efficient, enhanced the regulatory process, and created better outcomes for the PUC and its staff, as well as stakeholders, regulated utilities, and the general public. Accordingly, this measure makes those operational improvements permanent.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1327, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1327, 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. 820 Commerce and Consumer Protection on S.B. No. 1523**

The purpose and intent of this measure is to require the State Board of Professional Engineers, Architects, Surveyors, and Landscape Architects (State Board) to, upon its denial of an application for licensure, provide the applicant with a written notice of denial accompanied by a written explanation describing the reasons for the State Board's denial.

Your Committee received testimony in support of this measure from the Department of Planning and Permitting of the City and County of Honolulu. Your Committee received comments on this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Your Committee finds that applicants who are denied an engineer, architect, surveyor, or landscape architect license should be advised of the reasons that their application was denied so they can focus on how to correct, supplement, or improve their application for proper qualification. This measure requires the State Board to provide applicants who were denied licensure a written explanation of the reason for their denial.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1523, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1523, 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 (Richards). Noes, none. Excused, none.

**SCRep. 821 (Majority) Commerce and Consumer Protection on S.B. No. 729**

The purpose and intent of this measure is to require members of boards of directors and officers of condominium associations, cooperative housing corporations, and planned community associations to certify their receipt and reading of certain documents or complete a board leader course from an instructor certified by the Community Associations Institute, or similar nationally recognized organization.

Your Committee received testimony in support of this measure from the Hawaii Council of Associations of Apartment Owners dba Hawaii Council of Community Associations, Community Associations Institute, Palehua Townhouse Association, and five individuals. Your Committee received testimony in opposition to this measure from the Real Estate Commission, Hawai'i State Association of Parliamentarians, Honolulu Tower AOA, Waikoloa Village Association, and fifteen individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the members of boards of directors and officers of condominium associations, cooperative housing corporations, and planned community associations (board members) are volunteers elected by their co-owners who serve for altruistic reasons with the best interests of their communities in mind. Existing law imposes a level of care and loyalty on board members to their associations to the level and extent required of an officer or director of a corporation. To improve board members' decision-making and governance skills, and to minimize disputes by and among owners and their boards, it is imperative that board members receive proper education and training. This measure requires board members to certify that they have received proper education and training, or understand their duties to promote better governance. Your Committee acknowledges the concerns raised in testimony that this measure imposes education requirements on board members, but does not provide support for these new requirements.

Accordingly, your Committee has amended this measure by:

- (1) Inserting new language that:
  - (A) Establishes a Cooperative Housing Corporation Education Trust Fund and Planned Community Association Education Trust Fund and authorizing the Real Estate Commission to use the respective funds to finance education requirements for board members;
  - (B) Requires cooperative housing corporations and planned community associations to pay an education trust fund fee;
  - (C) Establishes requirements for management of the Cooperative Housing Corporation Education Trust Fund and Planned Community Association Education Trust Fund; and
  - (D) Requires cooperative housing corporations and planned community associations to register with the Department of Commerce and Consumer Affairs;
- (2) With respect to a board member's educational requirements, clarifying that:
  - (A) A board member shall, within ninety days after being elected to the board of directors, certify that the member has received and reviewed a copy of the association's or corporation's articles of incorporation, bylaws, rules and regulations, and chapter 421I, 421J, or 514B, Hawaii Revised Statutes, as appropriate; provided that, for any member elected to the board of directors before the effective date of this measure, the member shall provide the written certification to the board of directors within ninety days of the effective date of this measure;
  - (B) A board member shall, within one year after being elected to the board of directors, obtain a board leader course completion certificate from a course approved by the Real Estate Commission; provided that, for any member elected to the board of directors before the effective date of this measure, the member shall obtain the course completion certification within one year of the effective date of this measure; and
  - (C) A board member's failure to both certify that the member has received and reviewed the necessary documents and completed the required board leader course shall disqualify the member from serving on the board of directors;
- (3) Inserting language requiring the Real Estate Commission, with input from stakeholders as to the curriculum to be used, to approve and administer board leadership courses that members of board of directors are required to complete;
- (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. 729, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 729, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (Richards). Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 822 Commerce and Consumer Protection on S.B. No. 797**

The purpose and intent of this measure is to:

- (1) Specify that primary and secondary plan documents be listed in the public disclosure statement of a time share plan;
- (2) Clarify the manner in which the required disclosure of liens, title defects, or encumbrances on the titles of units may be made; and
- (3) Provide that a review of encumbrances be waived upon the certification from the developer that the time share interest is free and clear of blanket liens or that identifies all blanket liens.

Your Committee received testimony in support of this measure from Marriott Vacations Worldwide Corporation, ARDA – Hawai'i, Hilton Grand Vacations and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the laws governing time sharing plans in Hawaii were first adopted in 1980. At the time, most time sharing plans were confined to a single site and buyers would typically receive a deed of a fractional interest in a specific condominium unit together with the right to use that unit for a specific week in every year. Listing the encumbrances for a single condominium project was simple and added one or two pages to the disclosure statement. It was also appropriate since the buyer would be a co-owner of a condominium unit in the condominium project. However, modern time share plans frequently involve hundreds of units at dozens of sites. The list of encumbrances, which formerly added one or two pages, now adds fifty or more pages to the disclosure statement and lists items that are not likely to be of interest to the time share buyer, such as electrical easements and waterline easements. Furthermore, in modern time share plans, buyers do not typically receive a deed to a unit at any given site. Instead, title is

lodged in a land trust, and buyers own a beneficial interest in the trust. As a result, if the disclosure statement becomes too long, buyers will likely not read any of it. This measure decreases the size of disclosure statements provided to time share buyers and promotes consumer protection by increasing access to documents electronically and simplifying review processes.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 797, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 797, 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. 823 Commerce and Consumer Protection on S.B. No. 855**

The purpose and intent of this measure is to require condominiums to include the estimated cost of fire safety equipment or installations as part of their annual update of their reserves study.

Your Committee received testimony in support of this measure from the Hawaii Council of Associations of Apartment owners dba Hawaii Council of Community Associations, Community Associations Institute Hawaii Legislative Action Committee, Palehua Townhouse Association, and six individuals.

Your Committee finds that under existing law, a condominium's board of directors is required to create an annual operating budget and at a minimum update the association's reserve study annually. These two documents determine the amount of maintenance fees homeowners must pay to maintain the association property. Due to a City and County of Honolulu ordinance, certain condominiums are required to make fire safety upgrades unless the condominium can meet certain exceptions. These upgrades can cost a condominium association millions of dollars and, as a result, force it to drastically increase its maintenance fees. This measure would ensure that condominium association's provide complete and accurate information on required expenditures to allow association members to plan accordingly.

Your Committee heard from several testifiers who voiced concerns that this measure, as currently written, could create the unintended consequence of impacting the long-term planning of major condominium maintenance projects with the addition of fire safety upgrades required by the City and County of Honolulu's ordinance. Therefore, amendments to this measure are necessary to address these concerns.

- (1) Inserting language clarifying a condominium association's budget shall include a summary of certain details, including:
  - (A) A disclosure as to whether the budget has been prepared on a cash or accrual basis;
  - (B) The estimated costs of fire safety equipment or installations that meet the requirements of a life safety evaluation required by the applicable county for any building located in a county with a population greater than five hundred thousand; provided that the reserve study may forecast a loan or special assessment to fund life safety components or installation;
  - (C) The estimated reserves contributions that the association will require to maintain the property based on a reserve study performed by or on behalf of the association; provided that the reserve study, if not prepared by an independent reserve study preparer, shall be reviewed by an independent reserve study preparer not less than every three years; provided further that a managing agent with industry reserve study designations shall not be considered as having a conflict of interest for purposes of this requirement; and
  - (D) A general explanation of how the estimated replacement reserves contributions are computed and detailing other specific information;
- (2) Inserting a definition for "independent reserve study preparer";
- (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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 855, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 855, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 824 Commerce and Consumer Protection on S.B. No. 930**

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. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that existing law does not regulate the nature and amount of application fees that a landlord may charge prospective tenants. The absence of an application fee cap has led to abuses by landlords, who charge an applicant more than the cost of an application screening fee. This is particularly egregious where landlords or their agents receive many applications for one rental unit, most of which are not seriously considered. Accordingly, this measure will deter this conduct by directly addressing this inequity.

Your Committee acknowledges the concerns raised in testimony that the \$25 application fee cap is not sufficient to cover the cost of a screening report, and that the provision limiting an application to one member of a household could be in violation of fair housing laws, which require equal treatment for all applicants, including within the same household.

Therefore, your Committee has amended this measure by:

- (1) Deleting the \$25 application screening fee cap and inserting a blank amount;
- (2) Deleting language that would have limited a landlord or their agent to charge only one application screening fee per application and prohibited charging an application screening fee for each member of a household;
- (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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 930, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 930, 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. 825 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 910**

The purpose and intent of this measure is to restrict the sale of liquor under temporary liquor licenses to confined and demarcated spaces not located on public streets, roads, sidewalks, or pedestrian walkways.

Your Committees received testimony in support of this measure from the Chinatown Business and Community Association and one individual.

Your Committees find that outdoor events on public streets and spaces are beneficial for residents, businesses, and communities. However, the consumption of alcohol on public streets and sidewalks has led to excessive noise, parking issues, and other related problems for businesses, residents, transportation services, and law enforcement. Thus, this measure ensures the service and consumption of alcohol at events is limited to certain non-public areas.

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. 910, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 910, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5; Ayes with Reservations (McKelvey, Richards). Noes, none. Excused, none.

Judiciary: Ayes, 4; Ayes with Reservations (Elefante). Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 826 Commerce and Consumer Protection on S.B. No. 1578**

The purpose and intent of this measure is to:

- (1) Add additional considerations for the Director of Commerce and Consumer Affairs (Director) to take into account when ensuring that the terms and conditions required for operation of an access organization are fair to the public in its designated service area; and
- (2) Require cable operators to include viewership numbers in its reports to the Director.

Your Committee received testimony in support of this measure from 'Ōlelo Community Media. Your Committee received testimony in opposition to this measure from Charter Communications. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that community media provides local, educational, public interest, and government programming by hundreds of community and student producers, allowing the community to share and receive information and increase civic engagement. This measure requires the Director to consider placing designation requirements on public, educational, and government

access organizations to enable connectivity, and to provide digital literacy education, media literacy training, and workforce development. Additionally, reporting requirements regarding viewership will help inform future policy making.

Your Committee acknowledges the concerns raised in testimony of Charter Communications, which raised concerns that this measure would require cable operators to report their competitively sensitive viewership data.

Therefore, your Committee has amended this measure by:

- (1) Clarifying that viewership data included in a cable operator's report shall only be for channels designated for public, educational, and government access use; 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1578, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1578, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

**SCRep. 827 Commerce and Consumer Protection on S.B. No. 799**

The purpose and intent of this measure is to:

- (1) For time share plans that use title-holding trusts, require the developer to submit a title report evidencing that the title is vested in the trustee;
- (2) For time share plans that use a notice of time share plan, require the recordation of the notice and its submission; and
- (3) For time share plans that use alternative arrangements, require the recordation of any alternative arrangement documents.

Your Committee received testimony in support of this measure from the Marriott Vacations Worldwide Corporation, ARDA Hawai'i, Hilton Grand Vacations, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that existing law requires that a developer application for registration of a time share plan include a title report or other evidence of title. The State's law governing time sharing plans requires that the rights of time share owners be protected from blanket liens, such as mortgages, that could be used to deprive the time share owners of the use of the time share units. Foreclosure of a mortgage could cause the time share owners to lose their occupancy rights. As a result, the time share industry has implemented various means to ensure that a time share owner's right to use the time share is protected, such as title-holding trusts, notice of time share plan, and other alternative arrangements. In these cases, developers are, or should be, required to submit an update to title report; however, once blanket lien protections are in place, there is no further need for the developer to submit additional title reports. This measure streamlines the review of timeshare registration filings while continuing to maintain high levels of consumer protection.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 799, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 799, 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. 828 Commerce and Consumer Protection on S.B. No. 687**

The purpose and intent of this measure is to increase the amount of malt beverages, wine, and alcohol that a small craft producer pub licensee may produce during the license year.

Your Committee received testimony in support of this measure from Lanikai Brewing Co., Craft 'Ohana, Kauai Beer Company, and one individual.

Your Committee finds that existing law places limits on the amount of malt beverages, wine, and alcohol that a small craft producer pub licensee may produce during the license year. The existing limits do not allow room for economic growth for a small craft producer, or the industry at large. To meet current demands and promote economic growth, these production limits should be increased. This measure allows local businesses to continue to grow and create more manufacturing jobs.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 687, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 687, 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. 829 Commerce and Consumer Protection on S.B. No. 1201**

The purpose and intent of this measure is to:

- (1) Require condominium associations to register on an annual basis, rather than on a biennial basis;
- (2) Add an additional annual condominium education trust fund fee to be used to support the annual registration with attached documents of the association;
- (3) Amend the documents required for association registration;
- (4) Broaden the list of documents an association shall maintain; and
- (5) Amend the requirements and procedures for a condominium association to provide association documents to unit owners.

Your Committee received testimony in support of this measure from the Waikiki Neighborhood Board, Kokua Council, Hui 'Oia'i'o, and eleven 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 Associations of Apartment Owners dba Hawaii Council of Community Associations; Honolulu Tower Townhouse Association; Palehua Hale AOA; and ten individuals. Your Committee received comments on this measure from the Real Estate Commission.

Your Committee finds that existing law requires condominiums to register with the Real Estate Commission on an biennial basis. However, due to board turnover, owners moving in and out of the condominiums, and other factors, the registration information the Real Estate Commission has for condominiums, including names of the board members, or management company agents, can quickly become out of date. Up to date information about a condominium and its finances is important for a purchaser of a unit in the condominium. Therefore, this measure requires condominiums to register more frequently on an annual basis and makes other amendments improving condominium associations' transparency and accountability.

Your Committee acknowledges the concerns raised in testimony that this measure, as currently drafted, requires the Real Estate Commission and Department of Commerce and Consumer Affairs to maintain a database, which is partially duplicative and could potentially contain personal identifiable information protected by federal privacy laws. Accordingly, amendments to this measure are necessary to address these concerns.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the Real Estate Commission and Department of Commerce and Consumer Affairs to maintain a publicly available and searchable database on the Department's website containing the registration information;
- (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. 1201, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1201, 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 (Richards). Noes, none. Excused, none.

**SCRep. 830 (Joint) Higher Education and Ways and Means on S.B. No. 838**

The purpose and intent of this measure is to require the University of Hawaii Vice President for Community Colleges to report directly to the Board of Regents.

Your Committees received testimony in opposition to this measure from the University of Hawai'i System and two individuals.

Your Committees find that the University of Hawaii provides essential postsecondary education and workforce development programs to Hawaii residents. To increase access to these educational and career advancement opportunities, the University of Hawaii has community colleges located across the State, with at least one campus in each county. Despite the vital role the community colleges play in increasing the University's reach, they lack administrative representation within the University. This measure will provide the community colleges with a voice at the administrative level to promote and support access to education across the State.

Your Committees further find that the Hawaii Community College Promise Program, which funds qualified community college students' direct education costs, is essential to the University of Hawaii's efforts to increase access to education. In addition to funding for the Hawaii Community College Promise Program, the community colleges have identified the establishment of additional Security Officer positions as a critical need. Amendments to this measure are therefore necessary to support access to education and student safety at the University of Hawaii Community Colleges.

Accordingly, your Committees have amended this measure by:

- (1) Inserting an appropriation of \$3,700,000 for the continuation of the Hawaii Community College Promise Program;
- (2) Inserting an appropriation of \$693,780 for fiscal year 2023-2024 and \$1,456,938 for fiscal year 2024-2025 to establish thirty-one full-time equivalent (31.0 FTE) Security Officer positions for the University of Hawaii Community Colleges;
- (3) Amending section 1 to reflect its amended purpose;
- (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 Higher 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. 838, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 838, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.  
Higher Education: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).  
Ways and Means: Ayes, 13. Noes, none. Excused, none.

**SCRep. 831      Judiciary on S.B. No. 767**

The purpose and intent of this measure is to:

- (1) Prohibit the Governor or a Mayor from suspending requests for public records or vital statistics during a declared state of emergency; and
- (2) Allow for a reasonable delay in an agency's response to a request as a result of extenuating circumstances.

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, All News Hawaii, Iron Workers Stabilization Fund, and four individuals. Your Committee received comments on this measure from the Hawai'i Emergency Management Agency, Department of Human Services, Department of Health, Office of Information Practices, and Grassroot Institute of Hawaii.

Your Committee finds that the Governor's Twenty-First Emergency 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 allowed government agencies to 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.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 767 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. 832      Judiciary on S.B. No. 40**

The purpose and intent of this measure is to:

- (1) Establish provisions relating to civil remedies for discriminatory reporting to a law enforcement officer; and
- (2) Provide that a person who summons or reports to a law enforcement officer, without reason to suspect a crime, offense, or imminent danger has occurred or is occurring, because of that person's belief or perception involving a member of a protected class shall be civilly liable.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawai'i Civil Rights Commission.

Your Committee finds that the vigilance of individual citizens can keep communities safe through the reporting of witnessed criminal conduct to law enforcement. However, in certain circumstances, individuals have misused the ability to summon law enforcement officers to discriminate against persons of protected classes without reason to suspect a crime is being committed. This measure will allow civil remedies, including injunctions and compensation, for people who have been contacted by police based on discriminatory reporting by those with intent to cause harm based on a person's protected class.

Your Committee has amended this measure by:

- (1) Adding language that specifies that a person shall be civilly liable if the person knowingly contacts a law enforcement officer to come to a location to contact a person on the basis of the person's actual or perceived race, color, ancestry, ethnicity, national origin, place of birth, sex, age, religion, disability, sexual orientation, or gender identity with the specific intent to infringe upon the person's rights under the Hawaii State Constitution or United State Constitution; discriminate against the person; cause the person to feel harassed, humiliated, or embarrassed; cause the person to be expelled from a place that the person is lawfully located; damage the person's reputation or standing within the community; or damage the person's financial, economic, consumer, or business prospects or interest;
- (2) Deleting language that would have made civilly liable a person who summons or reports to a law enforcement officer, without reason to suspect a crime, offense, or imminent danger has occurred or is occurring, because of that person's belief or perception involving a member of a protected class;
- (3) Clarifying that any person injured by discriminatory reporting may sue for punitive damages;
- (4) Adding language that specifies that if the judgment is for the plaintiff, the plaintiff shall be awarded damages of not less than \$1,000 plus attorneys' fees and costs;
- (5) Deleting language that would have specified that a person lacks reason to suspect a violation of the Hawaii Penal Code, any other criminal conduct, or an imminent danger to a person or property has occurred or is occurring if a reasonable person would not suspect such a violation, criminal conduct, or imminent danger has occurred or is occurring;

- (6) Adding language that requires the Department of the Attorney General, in consultation with the Hawai'i Civil Rights Commission, to provide guidance to the public on the enactment of this measure;
- (7) Adding language that requires the Department of Law Enforcement to provide guidance to the public on this measure starting January 1, 2024; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that other jurisdictions, including Grand Rapids, New Jersey, New York, Oregon, San Francisco, and Washington have laws that allow damages for discriminatory reporting. Your Committee also notes that there is an existing criminal false reporting statute in Hawai'i. Therefore, your Committee requests that future committees consider the possibility of requiring that a violation of the criminal law be deemed prima facie evidence that the civil discriminatory reporting statute was violated.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 40, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 40, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 833 (Majority) Judiciary on S.B. No. 110**

The purpose and intent of this measure is to require gender-specific terminology used in adoption and divorce matters to be construed in a gender-neutral manner.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, and seven individuals. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that for many individuals, including queer and gender nonconforming individuals, the ability to start a family is a significant life event. Presently, certain laws maintain gender-specific terminology that is not only exclusionary, but also erases the experiences and identities of individuals who do not fit into the gender binary. This measure requires gender-specific terminology used in adoption and divorce matters to be construed in a gender-neutral manner to allow all individuals to be recognized and respected in the legal system regardless of their gender identity.

Your Committee notes that this measure's approach is piecemeal, and future committees may wish to consider a more comprehensive approach that applies to all state laws.

Your Committee has amended this measure by inserting an effective date of March 22, 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. 110, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 110, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4; Ayes with Reservations (Gabbard). Noes, 1 (Awa). Excused, none.

**SCRep. 834 Judiciary on S.B. No. 591**

The purpose and intent of this measure is to establish the operation of an illegal gambling business as a class C felony.

Your Committee received testimony in support of this measure from the Honolulu Police Department and two 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 Pono Advocacy.

Your Committee finds that numerous studies have confirmed that gambling causes problems such as bankruptcy, theft, embezzlement, suicide, child abuse and neglect, divorce, incarceration, and homelessness. Studies have also demonstrated that gambling schemes are essentially regressive taxes on low-income people, those who can least afford to participate. This measure creates a clear definition of "illegal gambling businesses", establishes forfeiture procedures, and designates consequences.

Your Committee has amended this measure by:

- (1) Deleting language that, for the purposes of obtaining search warrants and arrest, would have allowed probable cause that a business received gross revenue in excess of \$2,000 in any single day to be deemed established when certain gambling business activities by five or more persons continues for two or more successive days;
- (2) Inserting an effective date of March 22, 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. 591, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 591, 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. 835 (Majority) Judiciary on S.B. No. 1079**

The purpose and intent of this measure is to require courts to, upon written request, expunge records of convictions for:



- (1) Operating a vehicle after consuming a measurable amount of alcohol while under the age of twenty-one, if the sentencing occurred prior to 1998; and
- (2) Certain property offenses, if the sentencing occurred prior to 1998.

Your Committee received testimony in support of this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that, currently, any individual who has committed the offense of operating a vehicle after consuming a measurable amount of alcohol while under the age of twenty-one or committed certain property offenses, if the sentencing for either offense occurred prior to 1998, is now likely in a very different place in their life. While the offenses occurred a lifetime ago, these individuals are otherwise forced to continue to suffer the harsh consequences of being saddled with a criminal record when engaging in common activities, such as finding employment or housing. Studies show that criminal convictions impact broader everyday issues such as educational opportunities, housing options, starting or expanding a family, public assistance, insurance premiums, volunteering in community work, and privacy. This measure will assist many in finding better employment and improving their overall quality of life.

Your Committee has amended this measure by:

- (1) Specifying that the criteria for expungement of certain offenses where the person be under the age of twenty-one at the time of the offense means twenty-one years;
- (2) Clarifying that the court shall issue a court order to expunge the record of conviction for certain offenses if the person has fulfilled the terms of the sentence imposed by the court; and
- (3) Inserting an effective date of March 22, 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. 1079, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1079, 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 (Awa). Excused, none.

**SCRep. 836 (Joint/Majority) Commerce and Consumer Protection and Judiciary on S.B. No. 26**

The purpose and intent of this measure is to

- (1) Prohibit a landlord from recovering possession of a dwelling unit from a tenant if the habitability of the premises is significantly impaired;
- (2) Limit a tenant's liability for rent if the habitability of the premises is significantly impaired; and
- (3) Provide remedies for retaliatory evictions.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs and one individual. Your Committees received testimony in opposition to this measure from the Hawai'i Association of REALTORS. Your Committees received comments on this measure from the Department of Human Services.

Your Committees find that the State has one of the highest percentages of renter households in the nation, but the least amount of affordable housing. As a result, thousands of families in Hawaii, many of whom are already facing eviction, are unable to find alternative housing. Your Committees further find that eviction procedures must carefully balance the landlord's need for sufficient enforcement against the tenant's need for sufficient protection. Under existing law, it is difficult for tenants to defend themselves against wrongful evictions. While the Landlord-Tenant Code clearly outlines landlords' responsibilities, it fails to provide tenants with suitable methods of recourse and ways to hold landlords accountable in various situations. Although existing law guarantees compensation for certain landlord offenses, it also places on the tenant the burden of proving entitlement to compensation for a landlord's retaliation. The result is often that tenants who have been retaliated against are not made whole, allowing landlords to continue these retaliatory practices. This measure provides greater protections for tenants against eviction and incentivizes landlords to keep their rental units in a safe and sanitary condition.

Your Committees acknowledge the concerns raised in testimony that the cap on the damages in an amount equal to two months' rent may be an insufficient remedy for a tenant who is subjected to a particularly egregious eviction. Therefore, amendments to this measure are necessary to set the two months' rent as a floor for damages, rather than a cap.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language allowing a tenant who was retaliatorily evicted by a landlord to recover damages in an amount equal to not less than two months' rent;
- (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 Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 26, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 26, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4; Ayes with Reservations (Richards). Noes, 1 (Awa). Excused, none.

Judiciary: Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 837 Judiciary on S.B. No. 1189**

The purpose and intent of this measure is to require incumbent state legislators, or the treasurer of their candidate committee, to file large contribution reports with the Campaign Spending Commission within ten days of receiving a contribution of an amount aggregating more than \$500 during a legislative session.

Your Committee received testimony in support of this measure from four individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that reporting requirements are an essential safeguard to prevent the undue influence of special interests in the legislative process. By requiring timely disclosure of large campaign contributions, voters are better equipped to make informed decisions about who they choose to elect to public office. This transparency promotes the integrity of the political process and helps to maintain public trust in democratic institutions. This measure is an important step towards ensuring that the State's campaign finance laws are transparent and accountable and that the influence of big money in politics is kept in check.

Your Committee has amended this measure by:

- (1) Removing language that would have required incumbent state legislators, or the treasurer of their candidate committee, to file large contribution reports with the Campaign Spending Commission within ten days of receiving a contribution of an amount aggregating more than \$500 during a legislative session;
- (2) Inserting language that requires all state legislators, or the treasurer of their candidate committee, to file a preliminary report on February 28 of the year of a general election;
- (3) Inserting an effective date of January 1, 2026; 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. 1189, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1189, 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. 838 Commerce and Consumer Protection on S.B. No. 64**

The purpose and intent of this measure is to:

- (1) Require issuers of Medigap insurance in the State to accept an eligible individual's application for coverage at any time throughout the year and prohibit issuers from denying the applicant a Medigap policy or certificate or making any premium rate distinctions due to various reasons, including health status; and
- (2) Require the Insurance Commissioner to amend or adopt rules accordingly.

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 Commerce and Consumer Affairs.

Your Committee finds that Medicare beneficiaries can incur substantial cost-sharing and out-of-pocket expenses for their medical care, especially if they have a serious health problem. Many Medicare beneficiaries supplement their Medicare benefits with private insurance, such as Medigap plans, to help lessen the cost of copayments, coinsurance, and deductibles. However, the open enrollment period for Medigap insurance is limited to the first six months of a beneficiary's Medicare eligibility. This measure ensures that Medigap plans continue to offer meaningful benefits and affordable choices for beneficiaries and protects them from high out-of-pocket costs.

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. 64, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 839 Commerce and Consumer Protection on S.B. No. 746**

The purpose and intent of this measure is to:

- (1) Expand the coffee labeling and advertising requirements to include ready-to-drink coffee beverages and inner packages and inner wrapping labels;
- (2) Require a disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees; and
- (3) Prohibit the use of the term "All Hawaiian" in labeling or advertising for roasted coffee or instant coffee not produced entirely from green coffee beans grown and processed in Hawaii.

Your Committee received testimony in support of this measure from the Department of Agriculture; Adaptations, Inc.; Chamber of Sustainable Commerce; Cyanotech Corporation; Cassandra Farms; Growing Together Edible Landscaping; Hawai'i Alliance for Progressive Action; Hawai'i Farm Bureau; Hawai'i Farmers Union United; Hawaii's Thousand Friends; Ka Ohana O Na Pua; Kealaola, LLC; Kanalani Ohana Farm; Kona Coffee Farmers Association; Kuaiwi Farm; Kuwale Ridge Farms; Life of the Land; Rancho Aloha Coffee Farm; and thirty individuals.

Your Committee finds that Hawaii is the only region in the world where local laws allow the use of the region in the name of the product with only ten percent genuine regional content. When consumers purchase what they believe is "Kona Coffee", but is in fact ninety percent foreign-grown, local farmers suffer economically. This measure protects consumers by promoting integrity in the labeling of products and supports one of the State's most valuable signature crops.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 746, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 746, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 840 Commerce and Consumer Protection on S.B. No. 690**

The purpose and intent of this measure is to prohibit the sale of certain fluorescent lamps as a new manufactured product, with certain exemptions.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Appliance Standards Awareness Project of the American Council for an Energy Efficient Economy, Blue Planet Foundation, Hawai'i Energy, Ulupono Initiative, and two individuals. Your Committee received comments on this measure from the Alliance for Automotive Innovation.

Your Committee finds that all fluorescent bulbs contain mercury, a potent neurotoxin that threatens human health and the environment. When fluorescent bulbs are accidentally broken, they present a health hazard to those nearby and to the environment. Light-emitting diodes, or LEDs, last about twice as long as fluorescent bulbs and use approximately half the electricity to produce the same amount of light. LEDs also do not contain mercury, so they can be disposed of conveniently and more cheaply than fluorescents. This measure will help avoid the dumping of hazardous lamps in Hawaii from other locations that have banned these products, reduce electricity bills, reduce greenhouse gas emissions, and avoid the production of harmful mercury.

Your Committee acknowledges concerns raised in testimony that while fluorescent lamps have been phased out for new vehicles, older vehicles still utilize fluorescent lamps to light up display units and must be replaced by subsequent fluorescent lamps, as there is no alternative for replacement. Therefore, amendments to this measure are necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language exempting fluorescent lamps used to replace a lamp installed as original equipment in previously manufactured motor vehicles from the prohibitions established in 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 690, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 690, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

**SCRep. 841 Judiciary on S.B. No. 1381**

The purpose and intent of this measure is to repeal section 328-106, Hawaii Revised Statutes, which provides the Department of Health with the authority to regulate pharmacy benefit managers that reimburse a contracting pharmacy for a drug on a maximum allowable cost basis.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that it is not the Legislature's intent for the Department of Health to enforce and regulate an appeals process between private entities nor is it in the scope of the Department of Health's purview and expertise to do so. Your Committee further finds that disputes between pharmacy benefit managers and pharmacies over contractually obligated reimbursements should be enforced by the courts. According to testimony received by your Committee, the regulatory mechanism established in section 328-106, Hawaii Revised Statutes, is ineffective and does not offer pharmacies realistic or substantive relief from the volatile price fluctuations of the prescription drug market.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1381, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 842      Judiciary on S.B. No. 1268**

The purpose and intent of this measure is to make technical changes to the statutory definitions of “agricultural enterprise lands” and “non-agricultural park lands” for the purposes of clarity and consistency.

Your Committee received testimony in support of this measure from the Department of Agriculture and Hawai‘i Farm Bureau.

Your Committee finds that Act 221, Session Laws of Hawaii 2022, created the Agricultural Enterprise Program within the Hawaii Department of Agriculture to give the Department the ability to lease lands managed by the Department for related agricultural activity, rather than solely for crop development and production. However, the definition of “agricultural enterprise lands” inadvertently created an inconsistency with the existing definition of “non-agricultural park lands” in chapter 166E, Hawaii Revised Statutes. This measure makes technical changes to the statutory definitions of “agricultural enterprise lands” and “non-agricultural park lands” to remedy the inconsistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1268, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 843      Judiciary on S.B. No. 1196**

The purpose and intent of this measure is to clarify that board and commission holdover members shall not hold office beyond the end of the second regular legislative session following the expiration of the member’s term of office regardless of any conflicting statutes.

Your Committee did not receive testimony for this measure.

Your Committee finds that when a member’s seat on a state board or commission has expired, current law allows for the member to act as a holdover member until a successor is nominated and appointed, unless the holdover member is disqualified from serving by either not receiving the advice and consent of the Senate or by exceeding term limits. However, holdover members have argued that certain statutory provisions allow them to continue to hold office indefinitely until the governor appoints a replacement, even if they have exceeded statutory term limits. This measure makes clear that a holdover member shall not hold office beyond the end of the second regular legislative session following the expiration of the member’s term of office and that this interpretation of the law shall take precedence over all conflicting statutes concerning holdover 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. 1196, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 844      Judiciary on S.B. No. 1138**

The purpose and intent of this measure is to:

- (1) Prohibit a procurement officer from disclosing a competing offeror’s proposal or evaluation score during a debriefing requested by a non-selected offeror; and
- (2) Authorize the disclosure of a competing offeror’s proposal or evaluation score after a protest is resolved and the contract is executed.

Your Committee received testimony in support of this measure from the State Procurement Office and Department of Transportation.

Your Committee finds that the intention of public procurement is to make available government contracts to the public in a manner that is fair and seamless. Your Committee also finds that the many offerors of government contracts have competing interests and release sensitive information to the procurement office that can be detrimental to offerors and the procurement process when released publicly at an inappropriate time. Thus, this measure prohibits the disclosure or release of an offeror’s proposal or evaluation score to a non-selected offeror until after any protest is resolved and the contract is executed.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1138 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 845      Judiciary on S.B. No. 1131**

The purpose and intent of this measure is to amend the definitions of “time share interest” and “time share plan” to include any fractional ownership plan for a joint homeownership limited liability company, or any other entity.

Your Committee finds that a time share plan is a shared ownership model of vacation real estate in which multiple purchasers own allotments of usage, typically in one-week increments, in the same property. Because of its fractional ownership structure, time share plans are popular in vacation locales where owners may want only occasional control of a property, such as for vacation stays.

Your Committee further finds that, while the State regulates time share plans under chapter 514E, Hawaii Revised Statutes (HRS), a new form of time share, the joint homeownership limited liability company, does not currently fall within the scope of the State’s time share laws. Under this new scheme, buyers can purchase shares in a limited liability company that owns a property and the buyers can

then use the property as a second home. The result of these vacation homes masquerading as joint homeownership limited liability companies has resulted in the evasion of county taxes and state regulations to the detriment of communities, particularly on Maui. Your Committee finds that despite its new form, the joint homeownership limited liability company is substantively a time share plan. Therefore, this measure will require that joint homeownership limited liability companies are appropriately regulated under chapter 514E, HRS.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1131, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 846      Judiciary on S.B. No. 1112**

The purpose and intent of this measure is to:

- (1) Prohibit bans on dwelling unit rentals having a term between one and five months for interisland relocations and temporary workers; and
- (2) Authorize county councils to adopt any ordinances necessary to implement the prohibition by June 30, 2024.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Community Associations Institute, Hawaii Chapter and one individual. Your Committee received comments on this measure from Airbnb.

Your Committee finds that short-term rentals and their hosts, guests, and transitional residents support a number of local small businesses, from housekeeping and landscaping to restaurants and local markets. Your Committee believes that residents who are relocating to an interisland destination and temporary workers should have the option to stay at a short-term rental. This measure will allow individuals to relocate and work on temporary job sites and benefit local economies and businesses.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1112 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 847      Judiciary on S.B. No. 1056**

The purpose and intent of this measure is to clarify that the engineering study required prior to the setting of a maximum speed limit shall not apply to reductions of speed limits.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, Bikeshare Hawaii, and Hawaii Cycling League.

Your Committee finds that the safety of all roadway users is of paramount importance. Speed limits alert all motorists to safe speeds on roadways, particularly in residential areas or high traffic thoroughfares that are also shared with pedestrians and bicyclists. This measure prioritizes the protection of all roadway users to reflect responsibility and 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. 1056 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (San Buenaventura). Noes, none. Excused, 1 (Awa).

**SCRep. 848      Judiciary on S.B. No. 989**

The purpose and intent of this measure is to:

- (1) Prohibit trespass with an unmanned aircraft system, with exceptions; and
- (2) Establish a penalty.

Your Committee received testimony in support of this measure from the Honolulu Tower Association of Apartment Owners and two individuals.

Your Committee finds that usage of unmanned aircraft systems, commonly known as drones, has become increasingly popular across the State. Drones have approached private property, hovering nearby at various times throughout the day. However, there is presently a lack of regulation regarding drone usage and enforcement in private areas. This measure addresses the concerns of residents across the State while also establishing enforcement measures to promote responsible drone usage.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 989 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 849      Judiciary on S.B. No. 966**

The purpose and intent of this measure is to allow as punishment for felony disposal of solid waste and petty misdemeanor disposal of solid waste, forfeiture of any vehicle used in the commission of the offenses.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Reef and Ocean Coalition, and Climate Protectors Hawai'i.

Your Committee finds that vehicles, commercial or personal, are usually involved in the illegal dumping and transport of solid waste. Without landfill safeguards such as dumping, especially of hazardous materials and construction and demolition waste, can pollute the neighboring environment, harm human health, and have negative economic consequences. Thus, this measure allows for the forfeiture of any vehicle owned and operated by a person in the commission of an illegal dumping offense in addition to the possibility of imprisonment and fines, to create a more powerful deterrent effect.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 966 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 850      Judiciary on S.B. No. 673**

The purpose and intent of this measure is to authorize health care facilities to allow terminally ill patients to use medical cannabis under certain conditions.

Your Committee received testimony in support of this measure from the Drug Policy Forum of Hawai'i and six individuals. Your Committee received comments on this measure from the Department of Public Safety, Palolo Chinese Home, and Healthcare Association of Hawaii.

Your Committee finds that medical cannabis is most commonly used for pain relief, improvement of appetite, reduction of nausea, and as a substitute for heavy pain relievers such as fentanyl and morphine. Certain terminally ill patients may use cannabis for treatment or pain relief and wish to continue that use while at the hospital or other health care facility. While medical cannabis is legal in the State, cannabis remains classified as a Schedule I drug at the federal level. As health care facilities that are Medicare or Medicaid providers receive accreditation from the Centers for Medicare and Medicaid Services, these facilities are required to comply with county, state, and federal laws to receive reimbursements. Additionally, health care facilities may have adopted policies prohibiting cannabis on the premises out of perceived risk of losing federal funding. In order to balance the needs of terminally ill patients who use medical cannabis with the various regulations on health care facilities, this measure provides the option for health care facilities in the State, other than chemical dependency recovery hospitals, the State Hospital, and the Department of Public Safety-operated health care programs, to authorize terminally ill patients, subject to certain requirements, to use non-smoked medical cannabis.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 673, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 851      Judiciary on S.B. No. 497**

The purpose and intent of this measure is to:

- (1) Prohibit commercial vehicles weighing ten thousand pounds or more from driving in the left lane on all roadways with two lanes unless the commercial vehicle is able to maintain speed with existing traffic flow and is in the process of passing another vehicle;
- (2) Provide exceptions for commercial vehicles turning or exiting left, or preparing to turn or exit left;
- (3) Prohibit commercial vehicles weighing ten thousand pounds or more from driving in the left lane on all roadways with three or more lanes; and
- (4) Exempt buses and van pools operated by the counties.

Your Committee received testimony in support of this measure from the Department of Transportation Services of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from the Hawaii Transportation Association. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that traffic mitigation strategies allow roadway users to safely navigate across the State. Improvement of traffic flow on state roadways also decreases the likelihood of traffic congestion and motor vehicle collisions that may cause serious injuries or death. Oversized vehicles especially have the potential to slow traffic flow for smaller vehicles by restricting their operation in the left lane of roadways. This measure ensures the safety of all roadway users while also addressing traffic flow solutions.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 497, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 852      (Majority) Judiciary on S.B. No. 406**

The purpose and intent of this measure is to:

- (1) Allow the court to award reasonable visitation rights to a petitioning grandparent of a minor child when the child's parent is unable to exercise parental visitation due to death or incarceration and denial of reasonable grandparent visitation rights would cause significant harm to the child;

- (2) Set forth procedures, considerations, and standards for the court to grant grandparent visitation rights; and
- (3) Specify that any person who violates the terms and conditions of a court order granting reasonable grandparent visitation rights may be held in contempt of court.

Your Committee received testimony in support of this measure from twelve individuals.

Your Committee finds that the incarceration or death of a parent is a highly traumatic experience for a child. Your Committee believes that grandparents can give critical support to children to help them recover from the loss of a parent by providing the child with cultural and ancestral lessons, important familial medical history, and a sense of belonging. This measure will support children suffering from the traumatic experience of losing a parent by allowing courts to award reasonable visitation rights to a grandparent of a minor child when the child's parent is unable to exercise parental visitation due to death or incarceration.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 406, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 853 Commerce and Consumer Protection on S.B. No. 1016**

The purpose and intent of this measure is to:

- (1) Beginning January 1, 2024, require the Chief Executive Officer of the Hawaii Health Systems Corporation or the Chief Executive Officer's designee, to provide written comments to the Governor before the State enters into any new agreement with a private entity or modifies or terminates any existing agreement to transfer the right and responsibility to manage, operate, and otherwise provide health care services at one or more facilities of the Maui Regional System; and
- (2) Expand the definition of "private entity" to include business organizations that are authorized to transact business in the State, including nonprofit management entities that have a certificate of need or license to operate one or more community hospitals or hospitals serving a rural population licensed under the laws of any state.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the Hawaii Health Systems Corporation has faced financial challenges, which pose a risk to the public health care services provided in the State. To strengthen the viability of Hawaii Health Systems Corporation's public hospital system on the island of Maui, the Legislature passed Act 103, Session Laws of Hawaii 2015, which allowed for the transfer of the operations and management of the Hawaii Health Systems Corporation's Maui Regional System to a private entity. On January 14, 2016, Maui Health System, A Kaiser Foundation Hospitals LLC, entered into a transfer agreement with the State of Hawaii and other entities. According to testimony received by your Committee, the contract to take over was negotiated by the then Governor, so certain promises made to the Maui Regional System Board were not incorporated into the contract. This measure expands the choice of private entities to which the Hawaii Health Systems Corporation may transfer its Maui Regional System facilities and ensures that any representations made by the selected private entity to the Hawaii Health Systems Corporation is conveyed to the Governor during the negotiation process.

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. 1016, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 854 Commerce and Consumer Protection on S.B. No. 382**

The purpose and intent of this measure is to:

- (1) Prohibit motor vehicle manufacturers from charging subscription fees for certain services that employ equipment already installed in the motor vehicle at the time of sale as a new motor vehicle; and
- (2) Provide that the prohibition shall not apply to entertainment streaming subscription services and vehicle navigation.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from the Alliance for Automotive Innovation. Your Committee received comments on this measure from the Big Island Electric Vehicle Association.

Your Committee finds that motor vehicle manufacturers have begun charging subscription fees for consumers to use certain features in their vehicles, including remote locking, remote ignition, and automatic high-beam headlights. Your Committee further finds that additional manufacturer's fees and other factors unnecessarily contribute to the increase in transportation costs for residents in Hawaii. Thus, this measure prohibits vehicle manufacturers from charging subscription fees for the use of certain services that employ equipment installed in a motor vehicle at the time of sale.

Your Committee has amended this measure by:

- (1) Clarifying that manufacturers may charge consumers for traffic information and safety-related 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 382, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 382, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 855 (Joint/Majority) Commerce and Consumer Protection and Judiciary on S.B. No. 478**

The purpose and intent of this measure is to:

- (1) Repeal chapter 440J, Hawaii Revised Statutes (HRS), relating to telecommunications and cable industry information reporting requirements for broadband service providers;
- (2) Amend the definitions of "broadband infrastructure" and "broadband service" under chapter 206R, HRS, relating to the Broadband Infrastructure Grant Program; and
- (3) Require the Department of Commerce and Consumer Affairs (DCCA) to make available for public inspection all broadband coverage reports that providers previously filed pursuant to chapter 440J, HRS.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; CTIA; Hawaiian Telcom; Charter Communications; and Maui Chamber of Commerce. Your Committees received testimony in opposition to this measure from AARP Hawai'i.

Your Committees find that chapter 440J, HRS, requires broadband service providers to report annually to the DCCA, the percentage of each census block that does not have access to broadband service based on the Federal Communications Commission's (FCC) definition of broadband service. While this information was useful when chapter 440J, HRS, was first enacted, the FCC has since required broadband service providers to file more granular location-specific service information. Additionally, the data submitted by broadband service providers and collected and reported into the FCC's National Broadband Data Map is publicly available. This measure therefore repeals chapter 440J, HRS, as it is no longer necessary, to reduce the administrative burdens of broadband service providers 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 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. 478, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 478, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
Commerce and Consumer Protection: Ayes, 4; Ayes with Reservations (Fukunaga, McKelvey, Richards). Noes, 1 (Awa).  
Excused, none.  
Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 856 Judiciary on S.B. No. 352**

The purpose and intent of this measure is to implement amendments to the Uniform Commercial Code set forth by the Uniform Law Commission.

Your Committee received testimony in support of this measure from the State of Hawaii Commission to Promote Uniform Legislation. Your Committee received comments on this measure from the Uniform Law Commission.

Your Committee finds that the Uniform Commercial Code is a set of rules to govern commercial transactions. For over sixty years the Uniform Commercial Code has worked to facilitate commerce throughout the United States because it has been adopted in nearly identical form by every United States jurisdiction. As a result, the law governing transactions is substantially the same regardless of what states the parties to the transactions are located. This measure will update the Uniform Commercial Code to keep pace with legal and technological developments and ensure that the Uniform Commercial Code continues to facilitate commercial activity well into the future.

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 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, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 857 Judiciary on S.B. No. 1505**

The purpose and intent of this measure is to:

- (1) Authorize the Department of Transportation to delay or deny approval for port entry or departure in instances when the Department of Transportation receives notice from a federal agency or other agency that a vessel or its crew has engaged in



activity that has violated any federal, state, or county law or rule pertaining to environmental protection or maritime transportation; and

- (2) Authorize the Department of Transportation to grant approvals for use of any commercial harbor facility by a vessel in coordination with a federal agency or other agency.

Your Committee received testimony in support of this measure from the Department of Transportation, Surfrider Foundation, Benioff Ocean Science Laboratory, and one individual.

Your Committee finds that the Pacific Ocean's marine resources are a vital source of income, foreign exchange, employment, and nutrition for local communities. However, the illicit extraction and collection of these valuable resources is sadly increasing. Foreign vessels have encroached upon other nations' protected areas to illegally collect fish and resources and are beginning to scout waters near Hawai'i for undersea mining. However, undersea mining, even when legal, has impacts beyond the specific areas of a mine site, causing sediment plumes, noise, and the destruction of vulnerable marine habitats.

Your Committee finds that the ocean and its seafloor underpin Hawai'i's cultural heritage, in addition to its multi-billion dollar tourism and fishing industries. Your Committee further finds that action is necessary to protect the State's marine resources and to prevent the potential irreparable damage caused by illegal maritime activities. Therefore, this measure provides the Department of Transportation with the authority to prevent vessels engaged in illegal conduct from freely entering or departing from the State's commercial harbors and ports.

Your Committee has amended this measure by:

- (1) Inserting an effective date of March 22, 2075, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1505, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1505, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 858      Judiciary on S.B. No. 1468**

The purpose and intent of this measure is to:

- (1) Authorize professional land surveyors and any assistant under the direct supervision of the land surveyor, to enter any private property to perform land surveying, subject to certain provisions regarding notice, identification, and liability; and
- (2) Shield land surveyors and their assistants from prosecution under criminal trespass laws when performing their duties.

Your Committee received testimony in support of this measure from the Department of Design and Construction of the City and County of Honolulu and seven 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 Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Your Committee finds that Hawaii surveyors are in need of access to private property for the purpose of producing a thorough survey. Such surveys protect the public interest, maintain the State's unique land title system, and support governmental land use goals. The current practice is for surveyors to verbally ask for permission to enter a property for the purpose of surveying; however, sometimes obtaining verbal permission is not an option. This measure will protect the surveyor from liability while informing the property owner of the proposed survey.

Your Committee has amended this measure by:

- (1) Adding language specifying that if real property is to be surveyed the surveyor must first provide the landowner with written notice not less than an unspecified number of days before the proposed date of entry;
- (2) Adding language specifying that the written notice shall include:
  - (A) The date and time the entry shall occur;
  - (B) A description of the work to be performed;
  - (C) The approximate duration of the entry;
  - (D) A statement that the landowner may refuse entry by making a timely written objection; and
  - (E) A statement of the date, time, and method by which a landowner may object;
- (3) Adding language specifying that any objection shall be expressly communicated to the land surveyor in writing no later than an unspecified number of days before the date the survey work is to be performed;
- (4) Adding language specifying that if a landowner makes a timely objection, a professional land surveyor shall not be authorized to enter the private property of the objecting landowner;
- (5) Deleting language that would have provided that the land surveyor and the land surveyor's assistants shall not be liable for any incidental minor damage to property as a result of land surveying, except for damages that result from the land surveyor's or the land surveyor's assistants' gross negligence or wanton acts or omissions; 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. 1468, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1468, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 859      Judiciary on S.B. No. 1173**

The purpose and intent of this measure is to:

- (1) Prohibit a person from causing a diesel or gas-powered vehicle to discharge clearly visible smoke, soot, or other exhaust emissions onto another person or motor vehicle; and
- (2) Establish penalties.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Hawaii Transportation Association and three individuals.

Your Committee finds that the proliferation of intentional discharge of diesel exhaust, also known as “rolling coal”, poses a threat to the environment and public health. “Rolling coal” is emitted when motorists modify vehicles to pump excessive fuel into the engines, increasing horsepower and torque. While advances in emission technology have improved to capture and burn soot with diesel particulate filter systems, the intentional modification of such systems creates a public nuisance and further environmental harm. This measure protects public health and safety while also reducing the concentration of air contaminants.

Your Committee has amended this measure by inserting a fine amount of \$500.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1173, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1173, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 860      Judiciary on S.B. No. 1086**

The purpose and intent of this measure is to amend the composition and duties of the State Highway Safety Council.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawaii Bicycling League.

Your Committee finds that the State Highway Safety Council serves an important mission to advise on matters relating to the programs and activities of the State with regard to highway safety. As the State incorporates objectives to ensure efficiency of transportation infrastructure while also adhering to overall public policy goals, prioritizing transparency will allow the State to achieve its goals and outcomes. This measure provides greater professional and community perspectives to the Highway Safety Council to ensure the safety of all highway users.

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. 1086, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1086, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 861      (Majority) Judiciary on S.B. No. 587**

The purpose and intent of this measure is to:

- (1) Increase the minimum and maximum fines for violating provisions relating to the installation of noisy mufflers; and
- (2) Authorize police officers with probable cause to stop vehicles with noisy mufflers to inspect their mufflers.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from Waikiki Neighborhood Board No. 9.

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. This measure would deter violators by increasing fines for the installation of loud mufflers on motor vehicles.

Your Committee has amended this measure by:

- (1) Clarifying that any enforcement officer of the State shall have the authority to conduct examinations and inspections if the officer has probable cause to believe that a vehicle's excessively noisy muffler is evidence of violations of provisions relating to the installation of noisy mufflers;
- (2) Amending section 1 to reflect its amended purpose; 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 S.B. No. 587, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 587, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 862 (Majority) Judiciary on S.B. No. 586**

The purpose and intent of this measure is to:

- (1) Specify that a certificate of inspection shall be issued if a vehicle is not equipped with a noisy muffler or exhaust system;
- (2) Require rules regarding safety check inspections to ensure that a motorcycle, moped, or motor vehicle is not equipped with a noisy muffler or exhaust system;
- (3) Suspend, revoke, or refuse renewal of a permit for an official inspection station upon a third or subsequent willful violation of any rule regarding inspecting a noisy muffler or exhaust system;
- (4) Make violating the noisy muffler laws a petty misdemeanor; and
- (5) Include repairing or installing a noisy muffler or exhaust system as a prohibited practice for motor vehicle repair regulations.

Your Committee received testimony in support of this measure from the Department of Transportation and four individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the growing noise pollution and disturbance from loud mufflers on motor vehicles may have impacts on public health and safety, as well as peaceful enjoyment and quality of life. Existing law prohibits the operation of a motor vehicle of which the exhaust pipe or muffler has been modified to increase the volume of the vehicle's motor; however, this law is regularly violated due to insufficient penalties. Your Committee finds that the increases in fines proposed by this measure will serve as a stronger deterrent.

Your Committee has amended this measure by:

- (1) Deleting language that makes the offense of installing a muffler that will increase the noise emitted by a motor vehicle a violation or traffic infraction; 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. 586, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 586, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 863 (Majority) Judiciary on S.B. No. 551**

The purpose and intent of this measure is to clarify that certain housing projects developed by the Hawaii Housing Finance and Development Corporation on lands that are not within a Special Flood Hazard Area, as identified on the current Federal Emergency Management Agency's Flood Insurance Rate Maps, shall be exempt from all statutes, ordinances, charter provisions, and rules relating to planning, zoning, and other certain standards, provided that certain conditions are met.

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 Land and Natural Resources and Office of Hawaiian Affairs.

Your Committee finds that housing is a critical need in the State and that exempting certain housing projects from certain regulations can streamline the delivery of affordable housing to those most in need of housing. Your Committee notes the concerns raised by the Office of Hawaiian Affairs regarding the need to protect and conserve lands and natural resources and finds that this merits further consideration and respectfully request that these issues and concerns be examined as this measure moves forward in the legislative process.

Accordingly, your Committee has amended this measure by inserting an effective date of March 22, 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. 551, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 551, S.D. 3.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 864      Judiciary on S.B. No. 376**

The purpose and intent of this measure is to:

- (1) Prohibit the mining, extraction, and removal of minerals from the seabed in all state marine waters; and
- (2) Prohibit the issuance of any permit for or in connection with the development or operation of any facility or infrastructure associated with the mining, extraction, or removal of minerals from the seabed within state marine waters.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, University of Hawai'i System, Hawai'i State Youth Commission, Hawai'i Reef and Ocean Coalition, Parley for the Oceans, Environmental Caucus of the Democratic Party of Hawai'i, Sustainable Ocean Alliance Hawai'i, Sierra Club of Hawai'i, Hawai'i Youth Climate Coalition, Hawai'i Wildlife Fund, Hawai'i's Thousand Friends, Mālama Pūpūkea-Waimea, Sustainable Coastlines Hawai'i, National Parks Conservation Association, Deep Sea Mining Campaign, Oceanic Preservation Society, 350Hawai'i, The Surfrider Foundation, Blue Climate Initiative, Tetiaroa Society, Rev Ocean, Benioff Ocean Science Laboratory, The Marine Mammal Center, The Conservative Collective, The Ocean Foundation, Marine Conservation Institute, Greenpeace USA, Kauai Women's Caucus, Te Ipukarea Society, Moana Ohana, Friends of Hanauma Bay, For the Fishes, Animal Welfare Institute, Wild Kids, Na Mamo O Mu'olea, HULI PAC, Maui Nui Marine Resource Council, and forty-three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the State's marine waters are home to rich, diverse, and globally significant ecosystems that host thousands of species, with a biodiversity that may be comparable with tropical rainforests. Your Committee also finds that Hawaii's deep water column and seafloor are critically important to its people, who maintain strong spiritual, cultural, and economic connections to the deep ocean. Your Committee finds that seabed mining poses an unacceptably high risk of damage and disruption to these important marine environments and ecosystems, which may take decades, if not hundreds of years to recover, and threaten ocean-dependent industries, including commercial and recreational fishing and tourism. Your Committee therefore finds that seabed mining is inconsistent with the public interest and the State's obligation to protect its waters under the Hawaii State Constitution. This measure will protect the State's marine ecosystem by prohibiting seabed mining and related activities from occurring in state marine waters.

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. 376, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 376, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 865      Judiciary on S.B. No. 56**

The purpose and intent of this measure is to:

- (1) Require the use of broadband audible reverse warning systems (back-up beepers) on state and county-owned vehicles purchased on or after January 1, 2026; and
- (2) Authorize the Director of Transportation to provide an exemption in the event broadband sirens are unavailable.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that studies have determined that a traditional tonal back-up beeper is inefficient in alerting people to a reversing vehicle. Your Committee further finds that the broadband sound is both better in preventing fatalities and reducing noise pollution in the surrounding area because the broadband sound system allows for a variety of sounds and the focusing of the alarm's sound. 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 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. 56, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 56, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 866      (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 798**

The purpose and intent of this measure is to clarify that a developer is responsible for ensuring that the use of out-of-state time share units for time sharing purposes complies with zoning and land use laws and rules of the jurisdiction where the time share units are located but is not required to submit evidence of such compliance to register in Hawaii.

Your Committees received testimony in support of this measure from Marriot Vacations Worldwide Corporation, American Resort Development Association – Hawaii, and one individual. Your Committees received testimony in opposition to this measure from UNITE HERE! Local 5. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committees find that existing law prohibits time sharing in areas of Hawaii that are not zoned for time sharing. This law was adopted to protect residential neighborhoods in the State from being transient neighborhoods with homes used for time shares. However, this has had the unintended consequence of causing the Department of Commerce and Consumer Affairs to require time share developers to provide evidence that the developers' time share units located outside the State are also in compliance with local zoning laws in their respective locations. No other state requires this information and providing this information is costly and time consuming for developers. This measure restates and clarifies the original intent of the zoning confirmation requirement by requiring developers to ensure that time share units located in Hawaii comply with local zoning laws and clarifies that developers are not required to submit evidence of compliance of out-of-state time share units complying with legal requirements of other jurisdictions upon registering in Hawaii, thus protecting consumers of time share units in Hawaii while streamlining the time share registration process.

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. 798, 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, none.

Judiciary: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 867      Judiciary on S.B. No. 327**

The purpose and intent of this measure is to allow counties to prohibit discrimination against renters based on their source of income.

Your Committee received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Hawai'i Civil Rights Commission, Hawai'i Health & Harm Reduction Center, Hawai'i Children's Action Network Speaks!, and two individuals. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds 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 safe and decent 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 record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 327, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

**SCRep. 868      Judiciary on S.B. No. 610**

The purpose and intent of this measure is to recognize American Sign Language (ASL) as a fully developed, autonomous, natural language with its own distinct grammar, syntax, vocabulary, and cultural heritage.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Disability and Communication Access Board, Aloha State Association of the Deaf, and eleven individuals.

Your Committee finds that ASL is a language that is tied deeply to culture and identity, similar to other languages that are characteristic of ancestry or national origin. Your Committee additionally finds that other states have legally recognized ASL as a language, due to its importance to the United States' deaf and hard-of-hearing population. Furthermore, Hawai'i took initiative in acknowledging ASL by recognizing it as a world language for public school language requirement purposes through section 302A-322, Hawaii Revised Statutes. This measure will ultimately increase public understanding of the State's deaf and hard-of-hearing population, which will essentially lead to equitable access in employment, public awareness, and civil participation.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 610 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 869      Judiciary on S.B. No. 1130**

The purpose and intent of this measure is to:

- (1) Make a principal of an activity desk, and all persons with an ownership interest in the activity desk, jointly and severally liable for any financial deficiency when the activity desk's client trust account is insufficient to pay consumers or activity providers; and
- (2) Clarify that an activity desk, along with its principal and all persons with an ownership interest in the activity desk, shall be held liable for statutory violations and subsequent damages.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Hawai'i Lodging and Tourism Association; Activities and Attractions Association of Hawaii, Inc.; Warren and Annabelle's; Captain Steve's Rafting; Holo Charters; Maui Hotel and Lodging Association; and Maui Chamber of Commerce.

Your Committee finds that activity desks act as intermediaries that sell, contract for, and arrange tour excursions and activities, such as surf lessons, helicopter rides, and whale watching tours. These activity desks, often conveniently located in hotels and shopping malls, provide visitors and residents with an expedient way to schedule and plan recreational activities.

Your Committee also finds that as part of their service, an activity desk may receive money from a customer in advance and hold those funds in a client trust account to be used as payment to a tour operator or provider once their services are performed. However, in some cases, an activity desk has stolen or misused the funds from the client trust account, or held insufficient funds, leaving the customer and tour operator at a loss. Your Committee finds that while recourse is always available through the legal system, recovering lost or owed funds is often difficult and costly. Therefore, this measure will help to incentivize all those responsible for an activity desk to take care and properly carry out their fiduciary responsibilities by establishing liability for all persons associated with an activity desk.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1130, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 870      Judiciary on S.B. No. 1372**

The purpose and intent of this measure is to clarify the definitions of “caregiver support services”, “kupuna care services”, and “respite care” with respect to programs administered by the Executive Office on Aging.

Your Committee received testimony in support of this measure from the Executive Office on Aging.

Your Committee finds that clarifying the definitions of “caregiver support services”, “kupuna care services”, and “respite care” will allow care recipients, unemployed caregivers, and employed caregivers to access support, adult day care, and respite care services. Your Committee further finds that this measure will allow the Executive Office on Aging and county Area Agencies on Aging to offer adult day and respite care services to care recipients, unemployed caregivers, and employed caregivers.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1372, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 871      Judiciary on S.B. No. 1379**

The purpose and intent of this measure is to clarify the penalty to be assessed on any person who intentionally operates a care facility without a certificate or license by repealing section 321-486.3, Hawaii Revised Statutes.

Your Committee did not receive any testimony on this measure.

Your Committee finds that this measure will allow the Department of Health to effectively enhance enforcement and consumer protections for vulnerable senior citizens and residents of unlicensed care homes by repealing unnecessary provisions that may cause confusion in penalty amounts.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1379, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 872      Judiciary on S.B. No. 1386**

The purpose and intent of this measure is to:

- (1) Clarify the conditions, manner, and areas in which the Commission on Water Resource Management (Commission) of the Department of Land and Natural Resources can declare water shortages and issue emergency orders;
- (2) Require the water shortage plan developed by the Commission to be statewide;
- (3) Allow the Commission to impose restrictions on well and stream diversion owners that are outside of water management areas; and
- (4) Clarify the Commission’s authority to modify, suspend, or revoke water use permits in the case of a long-term or permanent reduction of the available water source due to a water shortage or emergency.

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 Honolulu Board of Water Supply.

Your Committee finds that recent emergencies, including wild fires and the Red Hill crisis, demonstrate that the existing State Water Code did not envision water shortages due to an immediate degradation of water quality. This measure would allow the Commission on Water Resource Management to react to crises in a swift and comprehensive manner to protect public trust resources without suspending sections of the State Water Code.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1386, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 873      Judiciary on S.B. No. 1577**

The purpose and intent of this measure is to require the Department of Commerce and Consumer Affairs to make all business registration applications available online and to require all applications to contain certain contact information of the registering entity.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the internet and digital technology have forever changed the way citizens interact -- and expect to interact -- with both public and private institutions. Digitization can benefit business-to-customer processes, such as a registration process, by improving user experiences and increasing productivity and efficiency through the elimination of tasks that would otherwise be done manually. However, your Committee finds that while the Department of Commerce and Consumer Affairs may provide business registration forms on its website for the public to use and review, and are thus technically available online, your Committee believes that making all forms available online and requiring the forms to contain certain contact information of the registering entity would better serve both the Department and customers alike.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1577, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 874      Judiciary on S.B. No. 1405**

The purpose and intent of this measure is to require vehicle weights to be consistent with federal weight limits with respect to the legal limits for gross vehicle weight and axle loads traveling on all public roadways.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that thousands of travelers utilize state transportation infrastructure daily. While the State has commenced some work on modernization of new and existing infrastructure, there are some roadways that are aging and require improvements to ensure the safety of roadway users. Additionally, because motor vehicles of varying weights utilize state roadways daily, vehicle weight limit enforcement allows the State to adequately preserve roadway and bridge infrastructure. This measure ensures the longevity of the State's roadways while also enforcing vehicle weight limits that may adversely impact fragile infrastructure.

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. 1405, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1405, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 875      Judiciary on S.B. No. 753**

The purpose and intent of this measure is to:

- (1) Require retail establishments 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 retail establishments and employees from civil liability in allowing an eligible customer to use an employee toilet facility in certain circumstances; and
- (3) Establish fines.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission and three individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii.

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. Ally's law requires retail establishments to allow customers access to employee-only bathrooms if the customer has an eligible medical condition requiring immediate access to a toilet and has been passed in numerous other states. This measure joins those states and adopts Ally's law in Hawai'i.

Your Committee has amended this measure by:

- (1) Deleting language that would have exempted retail establishments and employees from civil liability in allowing an eligible customer to use an employee toilet facility in certain circumstances; 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. 753, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 753, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 876      Judiciary on S.B. No. 741**

The purpose and intent of this measure is to:

- (1) 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; and
- (2) Establish that the Hawaiian Homes Commission shall have a right of first refusal for the sale or transfer of a lessee's interest in the lease when the sale or transfer is for personal gain.

Your Committee received testimony in support of this measure from 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 Hawaiian Home Lands and Department of the Attorney General.

Your Committee finds that the practice of churning can be described as obtaining a Hawaiian home lands lease, selling or conveying it to others for a fee or other personal gain, then applying again to be placed on the waiting list to receive another lease. 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 remain on the list for an extended number of years before receiving a Hawaiian home lands lease or may never obtain a 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 fairness in the distribution of leases to all beneficiaries.

To align the measure with the existing authority and practice of the Department of Hawaiian Home Lands, your Committee has amended this measure by:

- (1) Specifying that the Hawaiian Homes Commission shall have the right of first refusal by requiring the lessee to surrender the lease to the Department of Hawaiian Home Lands whenever the lessee seeks to sell or transfer the lessee's interest in the lease for personal gain; provided that if the Hawaiian Homes Commission does not exercise the right of first refusal, the respective lessee may proceed in the sale or transfer in accordance with the law; and
- (2) Inserting an effective date of March 22, 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. 741, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 741, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 877      (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 609**

The purpose and intent of this measure is to require health insurance policies and contracts issued on or after January 1, 2024, to provide coverage for the cost of hearing aids at a minimum of an unspecified amount per hearing aid for each hearing-impaired ear every thirty-six months.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board and twelve individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees, and Hawaii Medical Service Association.

Your Committees find that untreated hearing loss can cause depression and a feeling of isolation that can hinder an individual's ability to attend work or school, resulting in lost income and less participation and engagement in their communities. Your Committees further find that untreated hearing loss is the largest modifiable risk factor for developing dementia. Your Committees also find that hearing aids can significantly improve the quality of life for individuals with hearing impairments by allowing them to access and comprehend information and their surroundings and improve the communication level with their communities. Your Committees find however, that many individuals with hearing impairments often delay or forgo the purchase of hearing aids because of the significant out-of-pocket costs. This measure establishes minimum insurance coverage requirements through private insurers to promote access to affordable hearing aids.

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. 609, 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, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 878      (Joint/Majority) Commerce and Consumer Protection and Ways and Means on S.B. No. 321**

The purpose and intent of this measure is to establish a working group to study the feasibility and effects of the State adopting the Advanced Practice Registered Nurse Compact and submit a report to the Legislature.

Your Committees received testimony in support of this measure from the United States Department of Defense and Aloha Care. Your Committees received testimony in opposition to this measure from the Board of Nursing, Hawai'i Association of Professional Nurses, Hawaii Society of Anesthesiologists, and two individuals. Your Committees received comments on this measure from Grassroot Institute of Hawaii and Hawai'i State Center for Nursing.



Your Committees find that Hawaii is suffering from a shortage of nurses. Research indicates that nearly twenty-five percent of nurses in the State have considered leaving the workforce, largely due to the stresses caused by the coronavirus disease 2019 pandemic, but also due in part to the pressures from the workforce shortage. Your Committees believe that Hawaii joining interstate licensure compacts may address the difficulties medical professionals face in the State with regard to recruitment and retention. This measure establishes a working group to comprehensively study the effects of the State adopting the Advanced Practice Registered Nurse Compact to help address the urgent shortage of nurses in the State.

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. 321, 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 (Awa). Excused, none.

Ways and Means: Ayes, 12; Ayes with Reservations (Inouye). Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 879 (Joint/Majority) Commerce and Consumer Protection and Ways and Means on S.B. No. 320**

The purpose and intent of this measure is to establish a working group to study the feasibility and effects of the State adopting the Psychology Interjurisdictional Compact and require a report to the Legislature.

Your Committees received testimony in support of this measure from the United States Department of Defense, Aloha Care, and Hawaii Association of Health Plans. Your Committees received comments on this measure from the Board of Psychology and Grassroot Institute of Hawaii.

Your Committees find that the State is facing a severe health care worker shortage. Not only does Hawaii need additional physicians and nurses, but the State needs more licensed psychologist professionals. For many, the aggregate effects of the coronavirus disease 2019 pandemic triggered an alarming rise in anxiety and depression, adding to the pre-existing backlogs of individuals attempting to obtain appointments for mental health care, placing persons needing care at an even greater risk of harm. The Psychology Interjurisdictional Compact may offer a potential solution to help serve the State's most vulnerable residents, Medicaid beneficiaries, and those living in rural communities by allowing out-of-state licensed psychologists to practice in Hawaii under certain circumstances. Therefore, this measure establishes a working group to study the feasibility and potential effectiveness of Hawaii's adoption of the Psychology Interjurisdictional Compact.

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. 320, 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 (Awa). Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 880 (Joint/Majority) Commerce and Consumer Protection and Ways and Means on S.B. No. 319**

The purpose and intent of this measure is to establish a working group to study the feasibility and effects of the State adopting the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact and require a report to the Legislature.

Your Committees received testimony in support of this measure from the United States Department of Defense and Hawaii Association of Health Plans. Your Committees received comments on this measure from the Hawaii Medical Board and Grassroot Institute of Hawaii.

Your Committees find that the State is facing a severe health care worker shortage. Not only does Hawaii need additional physicians and nurses, but the State needs more emergency medical services personnel, such as emergency medical technicians (EMTs), advanced EMTs, and paramedics. Moreover, the need for emergency personnel is just as urgent for rural and neighbor island communities. Certain emergency proclamations issued during the coronavirus disease 2019 pandemic demonstrated the need to embrace license portability to make it easier for certain medical professionals to work in other states. Hawaii's adoption of the Emergency Medical Services Personnel Licensure Interstate Compact may offer a potential solution to eliminate unnecessary regulatory barriers and increase the number of qualified emergency medical services personnel in the State. Therefore, this measure establishes a working group to study the feasibility and potential effectiveness of Hawaii's adoption of the Emergency Medical Services Personnel Licensure Interstate Compact.

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. 319, 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 (Awa). Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 881 (Joint/Majority) Commerce and Consumer Protection and Ways and Means on S.B. No. 287**

The purpose and intent of this measure is, for condominium property regimes located within agricultural districts, to authorize counties to require its approval of the subdivision of land greater than ten acres prior to the effective date of the condominium property regime.

Your Committees received testimony in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, and Department of Planning and Permitting of the City and County of Honolulu. 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.

Your Committees find that condominium property regimes are a specific form of property ownership that entitles the unit owner to a dwelling unit and a percentage of undivided interest in the common elements. However, the proliferation of condominium property regimes has also raised concerns regarding the effect on increasing agricultural land values and the amount of agricultural production occurring on condominium property regime developments. This measure broadens the role of the counties to enforce county zoning laws and address concerns of condominium property regime activity on agricultural lands.

Your Committees also note the testimony of the Department of the Attorney General regarding the usage of the term “subdivision” in this measure, which is commonly used to refer to a specific county process that involves the division of a single parcel of land into two or more parcels. A county subdivision is a lengthy process that involves specific design requirements and a county-approval process. Establishment of a condominium property regime is a process separate from the county subdivision process, as a condominium property regime involves the division of ownership over land into multiple units. As condominium property regimes do not require county approval, the usage of the term “subdivision” may be unclear. Your Committees therefore find this concern merits further consideration, should this measure continue through the legislative process.

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. 287, 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 (Awa). Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 882      Ways and Means on S.B. No. 817**

The purpose and intent of this measure is to expand the pool of eligible companies that can participate in the Enterprise Zone program.

More specifically, this measure amends the definition of “eligible business activity” to include the processing of value-added agricultural products grown within an enterprise zone and the development or production of renewable energy.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Clean Power Alliance; Hawaii Farm Bureau; Hawaii Food Industry Association; Hawaii Forest Industry Association; Hawaii Gas; Ulupono Initiative; and one individual.

Your Committee received written comments on this measure from the Department of Agriculture and Tax Foundation of Hawaii.

Your Committee finds that the Enterprise Zone program was enacted as a cooperative program between the State and the counties to promote jobs in areas of high unemployment. Your Committee believes that this measure will incentivize development in the agriculture and renewable energy industries, which are of critical importance to the State’s self-sufficiency and sustainability.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 817 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 883      Ways and Means on S.B. No. 853**

The purpose and intent of this measure is to appropriate moneys to the Executive Office on Aging for the Hawaii Healthy Aging Partnership.

Your Committee received written comments in support of this measure from the Policy Advisory Board for Elder Affairs, Office on Aging for the County of Maui, Office of the Mayor for the County of Maui, AARP Hawaii, Pearl City Community Church, Hawaii Family Caregiver Coalition, Agency on Elderly Affairs for the County of Kauai, and seven individuals.

Your Committee received written comments on this measure from the Department of Health Executive Office on Aging.

Your Committee finds that Hawaii Healthy Aging Partnership helps the State save money on overall healthcare costs and has a significant impact on elders’ quality of life and independence through its evidence-based intervention programs.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 853, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 884      Ways and Means on S.B. No. 822**

The purpose and intent of this measure is to encourage economic growth through the development of creative activities in the community.

More specifically, this measure:

- (1) Creates a process for the establishment of a creative district;
- (2) Establishes a five-year income tax credit for creative districts;

- (3) Permits counties to enact incentives for creative districts; and
- (4) Requires the State Foundation on Culture and the Arts to submit an annual report to the Legislature on creative districts.

Your Committee received written comments in support of this measure from the State Foundation on Culture and the Arts, Department of Planning of the County of Kauai, Ebb & Flow Arts, The Friends of Kamalani & Lydgate Park, Honolulu Printmakers, Kauai Museum, and six individuals.

Your Committee received written comments on this measure from the Department of Business, Economic Development, and Tourism and its Creative Industries Division; Department of Taxation; Office of Hawaiian Affairs; Office of Information Practices; and Tax Foundation of Hawaii.

Your Committee finds that, in many states, businesses within designated cultural or creative districts have evolved to improve the quality of life for residents of the area and have rejuvenated those communities. Your Committee also finds that creative districts utilize the cultural and artistic resources within designated areas to stimulate economic development, revitalize communities, and unleash the artistic and cultural potential of those who live, work, and play within the designated areas.

Your Committee has amended this measure by:

- (1) Clarifying that petitions to establish a creative district shall initially be submitted to the State Foundation on Culture and the Arts;
- (2) Clarifying that an advisory committee shall conduct a public meeting prior to rendering a decision on a petition to establish a creative district;
- (3) Clarifying that a taxpayer claiming the tax credit established by the measure shall allocate and apportion the taxpayer's taxable income based on business conducted inside and outside of the creative district;
- (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. 822, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 822, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 885      Ways and Means on S.B. No. 830**

The purpose and intent of this measure is to improve emergency medical responses at Department of Education schools.

Specifically, the measure:

- (1) Requires each Department of Education school to establish a critical emergency response team and meet certain criteria for emergency medical responses; and
- (2) Appropriates moneys to implement critical medical emergency response teams.

Your Committee received written comments in support of this measure from five individuals.

Your Committee received written comments on this measure from the Department of Education.

Your Committee finds that critical medical emergencies require immediate attention, as long-term injuries, including brain damage and death, can result from the absence of that attention. Your Committee also finds that although the Department of Education has some additional emergency response capabilities, training, preparedness, and resources are necessary to ensure timely medical emergency responses at department schools.

Your Committee has amended this measure by:

- (1) Clarifying that the measure's critical emergency response requirements and appropriations apply only to Department of Education schools;
- (2) Clarifying that if a school undergoes three or more drills resulting in a response time longer than three minutes, the school shall take corrective actions, which shall be reviewed by the appropriate complex area superintendent;
- (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. 830, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 830, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 886      Ways and Means on S.B. No. 844**

The purpose and intent of this measure is to allow the counties to issue special motor vehicle number plates to commemorate Malama Puuloa, and provide a revenue source for the restoration of Pearl Harbor.

More specifically, this measure:

- (1) Authorizes the issuance of special motor vehicle number plates commemorating Malama Puuloa;
- (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 a portion of the revenue generated by the fundraising fees be deposited in the name of Malama Puuloa in a separate budget account.

Your Committee received written comments in support of this measure from Alii Pauahi Hawaiian Civic Club, Hui o Hoohonua, and two individuals.

Your Committee finds that the issuance of a special number plate commemorating Malama Puuloa is an appropriate way to support the organization’s mission to restore Puuloa, or Pearl Harbor.

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. 844, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 844, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 887      Ways and Means on S.B. No. 1538**

The purpose and intent of this measure is to appropriate moneys to the Judiciary for capital improvement projects for the fiscal biennium beginning July 1, 2023, and ending June 30, 2025.

Your Committee received written comments in support of this measure from the Judiciary and one individual.

Your Committee finds that the Judiciary requested the following amounts for its capital improvement program budget for fiscal biennium 2023-2025:

JUDICIARY	FY 2024	FY 2025
General Obligation Bond Funds	\$16,225,000	\$0
Total by All Means of Financing	\$16,225,000	\$0

Your Committee has amended this measure to appropriate the following amounts to the Judiciary for its capital improvement program budget:

SENATE	FY 2024	FY 2025
General Obligation Bond Funds	\$12,730,000	\$0
General Funds	\$3,000,000	\$0
Total by All Means of Financing	\$15,730,000	\$0

Your Committee further amended this measure by changing the effective date to January 7, 2059, 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. 1538, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1538, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 888      Ways and Means on S.B. No. 861**

The purpose and intent of this measure is to facilitate the consideration of a housing savings account program for the State.

Specifically, the measure:

- (1) Requires the Legislative Reference Bureau to:
  - (A) Propose a system for the establishment and implementation of a housing savings account program for the State; and
  - (B) Evaluate and report on the viability of the proposed system; and
- (2) Authorizes and appropriates moneys for the Legislative Reference Bureau to contract for services to conduct the evaluation and study required under the measure.

Your Committee received testimony in support of this measure from the Hawaii Credit Union League.

Your Committee received written comments on this measure from the Legislative Reference Bureau.

Your Committee finds that there is a shortage of affordable housing within the State. Your Committee believes that the development of a system for a housing savings account program, with participation by employees and employers, as contemplated by this measure, may be a viable solution.

Your Committee has amended this measure by:

- (1) Authorizing the Legislative Reference Bureau to contract for services to develop the proposed system and program;
- (2) Changing the appropriation from \$500,000 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. 861, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 861, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 889      Ways and Means on S.B. No. 866**

The purpose and intent of this measure is to promote the development of affordable rental housing in the State.

More specifically, this measure:

- (1) Provides that affordable housing projects that comply with certain prevailing wage requirements may receive a waiver of real property taxes and various development fees from a county; and
- (2) Removes the limit on the type of costs eligible for exemption from the general excise tax for development of affordable rental housing certified by the Hawaii Housing Finance and Development Corporation.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee received written comments on this measure from the Department of Taxation.

Your Committee finds that market conditions and high costs of construction make it difficult to build affordable rental housing in the State. Your Committee further finds that the stacking of available state and county exemptions may provide the necessary incentives to make the development of more affordable rental housing projects feasible.

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. 866, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 866, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Aquino).

**SCRep. 890      Ways and Means on S.B. No. 879**

The purpose and intent of this measure is to appropriate moneys to support the administration of the Unemployment Insurance Program.

Your Committee received written comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that the supplemental funds provided by this measure will help ensure the long-term sustainability of the Unemployment Insurance Program.

Your Committee notes that the Department of Labor and Industrial Relations has requested an appropriation of \$1,900,000 to support fifteen vacant positions that are not federally-funded.

As affirmed by the record of votes of the members of your Committee on Ways and Means 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, 13. Noes, none. Excused, none.

**SCRep. 891      Ways and Means on S.B. No. 884**

The purpose and intent of this measure is to temporarily exclude from income taxation one hundred percent of the gain realized by a fee simple owner from the sale of a leased fee interest in units within a condominium project, cooperative project, or planned unit development to the association of apartment owners or the residential cooperative housing corporation of the leasehold units.

Your Committee received written comments in support of this measure from three individuals.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that this measure proposes an exemption modeled after the exemption authorized by Act 166, Session Laws of Hawaii 2007, which was repealed on December 31, 2012. Your Committee believes that the reestablishment of the exemption will give landowners an incentive to sell to condominium lessees the fee interest in their units, and bring stability to the State's condominium housing market.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 884, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 892 Ways and Means on S.B. No. 894**

The purpose and intent of this measure is to facilitate the provision of trauma-informed services.

Specifically, the measure:

- (1) Requires the trauma-informed care task force to serve as an advisory board to the Office of Wellness and Resilience;
- (2) Extends to June 30, 2025, the dissolution date of the task force; and
- (3) Effective July 1, 2025:
  - (A) Transfers the Office of Wellness and Resilience (which is temporarily established within the Office of the Governor) to the Department of Human Services;
  - (B) Requires the Office of Wellness and Resilience to make certain annual reports to the Legislature; and
  - (C) Establishes within the Office of Wellness and Resilience a permanent Wellness and Resilience Advisory Board, to make and develop certain recommendations relating to trauma-informed care.

Your Committee received written comments in support of this measure from the Department of Public Safety, Department of Human Services, Executive Office on Early Learning, Office of Wellness and Resilience, State Council on Mental Health, HawaiiKidsCAN, Hawaii Primary Care Association, Kamehameha Schools, Hawaii Youth Services Network, and Hawaii Children's Action Network Speaks.

Your Committee received written comments on this measure from the Department of Health.

Your Committee recognizes the need for trauma-informed and responsive practices to help build wellness and resilience. Your Committee believes that this measure will solidify the State's commitment to provide comprehensive, coordinated, culturally sensitive services to survivors of trauma and help children and families avoid adverse childhood experiences.

Your Committee has amended this measure by:

- (1) Replacing certain references to an interagency task force with references to the trauma-informed care task force or the wellness and resiliency advisory board;
- (2) Inserting language to facilitate the transfer of certain powers and duties from the Department of Human Services to the Office of Wellness and Resilience; 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. 894, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 894, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 893 Ways and Means on S.B. No. 902**

The purpose and intent of this measure is to expand the State's caregiving workforce to better meet the needs of Hawaii's growing kupuna population.

More specifically, the measure:

- (1) Establishes a Workforce Development and Support Center within the Executive Office on Aging and authorizes the Center to develop a workforce pilot project to, among other things:
  - (A) Provide career development courses and pathways for advancement to the non-clinical direct care workforce;
  - (B) Provide support to address the health and well-being of caregivers; and
  - (C) Develop an outreach and marketing plan for a comprehensive statewide recruitment campaign for new health care workers; and
- (2) Appropriates an unspecified sum to establish the Workforce Development and Support Center.

Your Committee received written comments in support of this measure from the Executive Office on Aging, Healthcare Association of Hawaii, AARP Hawaii, Kupuna Caucus of the Democratic Party of Hawaii, Hawaii Family Caregiver Coalition, and nine individuals.

Your Committee finds that this measure represents a concerted effort to address the health care workforce shortage by establishing the necessary infrastructure to create a robust caregiving workforce pipeline and also provide education and training to unpaid caregivers whose labor enables kupuna to continue living at home.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 902, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 894      Ways and Means on S.B. No. 924**

The purpose and intent of this measure is to increase state funds.

More specifically, this measure:

- (1) Eliminates the home mortgage interest deduction for second homes under Hawaii income tax law; and
- (2) Requires the amount of state tax revenues gained by eliminating the deduction to be deposited into the Dwelling Unit Revolving Fund.

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 Hawaii Association of Public Accountants and 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 notes the comments of the Department of Taxation, stating that it would not be able to calculate the actual amount of revenue gained as a result of eliminating the home mortgage interest deduction for second homes under Hawaii income tax law, as doing so would require the calculation of alternative tax liabilities for each taxpayer.

Your Committee has amended this measure by:

- (1) Removing the requirement that state tax revenues be deposited into the Dwelling Unit Revolving Fund;
- (2) Clarifying that section 2 of the measure shall apply to taxable years beginning after December 31, 2022;
- (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. 924, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 924, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 895      Ways and Means on S.B. No. 941**

The purpose and intent of this measure is to increase teacher housing.

Specifically, this measure:

- (1) Authorizes the School Facilities Authority to partner with public and private development agencies to develop teacher housing; and
- (2) Appropriates an unspecified sum for the construction of teacher and educator housing at Mililani High School, Waipahu High School, and Nanakuli High School.

Your Committee received written comments in support of this measure from the Executive Office on Early Learning and Hawaii State Teachers Association.

Your Committee received written comments on this measure from the School Facilities Authority and Hawaii Government Employees Association.

Your Committee finds that housing continues to be one of the largest expenses for teachers and other residents of Hawaii. Your Committee further finds that providing affordable, on-campus housing for teachers will help to address one financial burden of teachers, which will help to recruit and retain teachers, thereby reducing the current teacher shortage.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated from an unspecified amount to \$185,000,000, to be allocated as follows:
  - (A) \$65,000,000 to Mililani High School;
  - (B) \$60,000,000 to Waipahu High School; and
  - (C) \$60,000,000 to Nanakuli High School;
- (2) Expanding the appropriation to include the construction of classrooms;

- (3) Changing the effective date to July 1, 2050, to encourage further discussion; 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. 941, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 941, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 896      Ways and Means on S.B. No. 951**

The purpose and intent of this measure is to facilitate the administration of the tax credit for research activities.

Specifically, the measure:

- (1) Limits to \$1,500,000 the amount of tax credits for research activities that an eligible taxpayer and the taxpayer's related entities may receive per taxable year;
- (2) Consolidates the survey and certification requirements for tax credits for research activities;
- (3) Increases from \$5,000,000 to \$15,000,000 the annual aggregate cap on tax credits for research activities that the Department of Business, Economic Development, and Tourism may certify;
- (4) Requires certification of the tax credits for research activities on a first-come, first-served basis to be based on the date that a complete application is received, subject to certain conditions; and
- (5) Extends from December 31, 2024, to December 31, 2029, the sunset date for the tax credit.

Your Committee received written comments in support of this measure from High Technology Development Corporation and Makai Ocean Engineering, Inc.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Taxation, Tax Foundation of Hawaii, and Oceanit.

Your Committee finds that the tax credit for research activities makes the State competitive in the global technology industry. Your Committee believes that updating the statutory provisions relating to the tax credit, as proposed by this measure, will ensure that offering the tax credit continues to facilitate efforts to diversify the State's economy and promote job creation.

Your Committee has amended this measure by:

- (1) Deleting the requirement that a high technology business shall maintain and operate a physical place of business in the State where at least seventy-five per cent of the business' employees are located;
- (2) Inserting a definition of "small business", to mean "a company with no more than five hundred employees, including affiliates";
- (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. 951, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 951, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (DeCoite, Kidani).

**SCRep. 897      Ways and Means on S.B. No. 968**

The purpose and intent of this measure is to reduce transportation costs for public employees and residents of public housing in the State.

More specifically, this measure:

- (1) Requires the Department of Accounting and General Services, in collaboration with the Department of Transportation, to:
  - (A) Make parking stall sharing available to public employees, subject to certain conditions;
  - (B) Ensure that every new parking stall constructed and made available to public employees is pre-wired to accommodate certain electric vehicle charging stations;
  - (C) Develop a plan to retrofit certain existing parking facilities to enable workplace charging capabilities by 2030;
  - (D) Provide a reasonable number of bicycle storage lockers at certain parking facilities, subject to certain conditions; and
  - (E) Develop, implement, administer, and manage various transportation system programs that include parking stall sharing, construction or conversion of parking stalls to accommodate electric vehicle charging, and secure bicycle storage lockers at public facilities;
- (2) Requires that all new public housing parking stalls be pre-wired to accommodate certain electric vehicle charging stations; and



(3) Requires that all new public housing developments provide bicycle storage lockers, subject to certain conditions.

Your Committee received written comments in support of this measure from 350Hawaii, Big Island Electric Vehicle Association, Climate Protectors Hawaii, Hawaii Bicycling League, KauaiEV, and several individuals.

Your Committee received written comments on this measure from the Department of Accounting and General Services, Hawaii State Energy Office, and Ulupono Initiative.

Your Committee finds that preparing for the future installation of electric vehicle charging stations and enabling the safe storage of bicycles and micro-mobility devices in public employee parking and public housing facilities will help to reduce greenhouse gas emissions throughout the State.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Accounting and General Services is required to collaborate with the Department of Transportation to develop, implement, administer, and manage programs to:
  - (A) Make parking stall sharing available to public employees, subject to certain conditions;
  - (B) Ensure that every new parking stall constructed and made available to public employees is pre-wired to accommodate certain electric vehicle charging stations;
  - (C) Develop a plan to retrofit certain existing parking facilities to enable workplace charging capabilities by 2030; and
  - (D) Provide a reasonable number of bicycle storage lockers at certain parking facilities, subject to certain conditions;
- (2) Codifying these requirements in statute, rather than session law;
- (3) Clarifying the definition of “level 2 electric vehicle charging station”; 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. 968, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 968, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 898      Ways and Means on S.B. No. 971**

The purpose and intent of this measure is to address student transportation needs throughout the State.

More specifically, this measure:

- (1) Requires the Department of Education to collect data on the city bus pass program for public high school students and charter school students and submit a report to the Legislature on the Department’s findings and data collected; and
- (2) Appropriates moneys for bus passes for all public high school and charter school students.

Your Committee received written comments in support of this measure from the Department of Education, Hawaii State Public Charter School Commission, Department of Transportation Services of the City and County of Honolulu, Democratic Party of Hawaii Education Caucus, Hawaii Public Health Institute, OahuMPO, Ulupono Initiative, and two individuals.

Your Committee finds that providing high school students with access to public transportation will help to address the State’s shortage of school bus drivers and increase the affected students’ educational well-being.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Education shall collect data on the EXPRESS county bus pass program;
- (2) Clarifying that the Department of Education is only required to submit reports to the Legislature through the duration of the EXPRESS county bus program;
- (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. 971, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 971, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 899      Ways and Means on S.B. No. 974**

The purpose and intent of this measure is to protect certain consumer data.

More specifically, this measure:

- (1) Establishes a framework for the regulation of controllers and processors having access to personal consumer data;

- (2) Enumerates consumers' personal data rights;
- (3) Establishes a consumer privacy special fund; and
- (4) Appropriates moneys for consumer data protection.

Your Committee received written comments in support of this measure from BSA The Software Alliance and Fellow of Information Privacy.

Your Committee received written comments in opposition to this measure from Hawaiian Electric Company, National Insurance Crime Bureau, and State Farm.

Your Committee received written comments on this measure from the Department of Commerce and Consumer Affairs, Office of Consumer Protection; Department of the Attorney General; American Property Casualty Insurance Association; California Privacy Protection Agency; Consumer Reports; Hawaii Bankers Association; Hawaii Credit Union League; Hawaii Financial Services Association; Hawaii Insurers Council; State Privacy & Security Coalition; TechNet; and one individual.

Your Committee finds that enumerating a strong set of consumer rights and establishing restrictions on the use of consumer data and the responsibilities of controllers and processors will provide each consumer with increased control over the consumer's personal data and increased transparency for the use of consumer data.

Your Committee has amended this measure by:

- (1) Exempting the National Insurance Crime Bureau from certain consumer data protection requirements;
- (2) Clarifying that if a controller sells personal data to third parties or processes personal data for targeted advertising, the controller shall disclose the processing to the affected consumer;
- (3) Clarifying the required contents of contracts between a controller and a processor; 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. 974, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 974, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 900      Ways and Means on S.B. No. 992**

The purpose and intent of this measure is to propose an amendment to the Constitution of the State of Hawaii to increase the mandatory retirement age for justices and judges to the age of seventy-five years.

Your Committee received written comments in support of this measure from the Office of the Public Defender and three individuals.

Your Committee received written comments in opposition to this measure from two individuals.

Your Committee finds that many people work and are productive well beyond the age of seventy. Your Committee believes that increasing the judicial retirement age, as proposed by this measure, will ensure the continued availability of experienced justices and judges.

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. 992, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 992, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 901      Ways and Means on S.B. No. 1005**

The purpose and intent of this measure is to establish and make certain administrative changes for presidential preference primaries.

Your Committee received written comments in support of this measure from the Democratic Party of Hawaii and six individuals.

Your Committee received written comments in opposition to this measure from the Stonewall Caucus of the Democratic Party of Hawaii.

Your Committee received written comments on this measure from the Office of Elections; the Office of the County Clerk, County of Hawaii; Office of the County Clerk, County of Kauai; Office of the City Clerk, City and County of Honolulu; and Office of the County Clerk, County of Maui.

Your Committee finds that state-run caucuses to choose presidential nominees reach a limited scope of people. Your Committee believes that presidential preference primaries, as proposed by this measure, will facilitate public participation in choosing candidates for this important federal office.

Your Committee has amended this measure by:

- (1) Deleting language for a new discounted filing fee for presidential candidates' verified participation in the State's partial public financing program, as the program is only for qualifying candidates for state and county elected offices;
- (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. 1005, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1005, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 902 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 1615**

The purpose and intent of this measure is to:

- (1) Require the Developmental Disabilities Division of the Department of Health to amend its eligibility criteria for the Medicaid Intellectual and Developmental Disabilities Home and Community-Based Services Waiver (HCBS I/DD waiver) to include individuals having an intellectual or a developmental disability and a comorbid mental illness; and
- (2) Appropriate an unspecified amount of funds to the Department of Health, which includes funding for establishing an unspecified number of full-time equivalent positions, to address amending its eligibility criteria for the HCBS I/DD waiver.

Your Committees received testimony in support of this measure from the Hawaii Disability Rights Center, Hawaii Autism Foundation, Keiki Education Living Independent Institute dba K.E.L.I.I. Foundation, and one individual. Your Committees received comments on this measure from the Department of Human Services, Department of Health, and State Council on Developmental Disabilities.

Your Committees find that the navigation, access, and coverage of Medicaid services under the State's present system of care can be complicated to understand and that the accessibility and utilization of essential services can be particularly challenging for certain individuals. This measure seeks to close the gap in services for those with an intellectual or developmental disability and a comorbid mental illness by allowing all individuals who are diagnosed with an intellectual or developmental disability and a comorbid mental illness to be eligible for home and community-based services, regardless of the institutional level of care needed.

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 Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1615, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1615, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.  
Ways and Means: Ayes, 13. Noes, none. Excused, none.

**SCRep. 903 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 1473**

The purpose and intent of this measure is to:

- (1) Require the Department of Health and Department of Human Services to:
  - (A) Develop and adopt rules, policies, and plan amendments necessary to ensure that the state Medicaid program covers medically necessary services, including applied behavior analysis services, for individuals aged twenty-one and older with neurodevelopmental disorders, including autism spectrum disorder; and
  - (B) Apply for any necessary approvals from the Centers for Medicare and Medicaid Services to amend the state Medicaid plan to provide reimbursements for medically necessary services, including applied behavior analysis services to Medicaid-eligible individuals aged twenty-one and older with neurodevelopmental disorders, including autism spectrum disorder; and
- (2) Appropriate an unspecified amount to the Department of Human Services for the development and adoption of the aforementioned rules, policies, and plan amendments.

Your Committees received testimony in support of this measure from the State Council on Developmental Disabilities, Hawai'i Association for Behavior Analysis, Hawaii Disability Rights Center, Hawaii Fetal Alcohol Spectrum Disorders (FASD) Action Group, and ten individuals. Your Committees received comments on this measure from the Department of Human Services and Department of Health.

Your Committees find that state Medicaid program beneficiaries diagnosed with autism spectrum disorder no longer receive coverage for medically necessary services after age twenty-one. The state Medicaid program also does not cover medically necessary services for individuals with other neurodevelopmental disorders, regardless of an individual's age. Your Committees further find that an individual's clinical needs, rather than the individual's age, should guide treatment, and private insurance providers cover medically necessary services for an individual with autism spectrum disorder across the individual's lifespan. Therefore, to ensure health care parity for state Medicaid program beneficiaries, this measure requires the Department of Health and Department of Human Services to

take necessary actions to ensure the state Medicaid program covers medically necessary services for any individual with a neurodevelopmental disorder across the individual's lifespan.

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 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. 1473, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1473, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 904 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 1264**

The purpose and intent of this measure is to authorize the Department of Land and Natural Resources to establish limited entry commercial fisheries where appropriate or necessary to maintain sustainable and healthy fisheries.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and three individuals.

Your Committees find that existing law requires the Department of Land and Natural Resources to manage and administer the aquatic life and aquatic resources of the State. Successful aquatic resource management includes ensuring abundance while also allowing sustainable levels of take. However, certain commercial fishery resources have become depleted and can no longer sustain unregulated and unlimited harvest, as the Department of Land and Natural Resources is not authorized under existing law to establish limited entry commercial fisheries. Limited commercial entry is a management method in which an agency or governing body limits the number of participants or vessels participating in a certain fishery as a means of reducing commercial fishing pressure on a particular fish species or group of fish species while still allowing some commercial take. This measure authorizes the Department of Land and Natural Resources to establish limited entry commercial fisheries to accomplish its goal of balancing sustainable yet commercially viable fisheries in the State.

Your Committees recognize that federal law preempts the Department of Land and Natural Resources' ability to cap or otherwise limit the number of entrants into commercial fisheries subject to federal fisheries regulations. Therefore, amendments to this measure are necessary to prevent a conflict between state and federal law.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language that limits the Department of Land and Natural Resources' ability to establish limited entry commercial fisheries to those that are not subject to federal fisheries regulations; and
- (2) Amending section 1 to reflect its amended purpose.

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. 1264, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1264, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 905 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 781**

The purpose and intent of this measure is to:

- (1) Require government entities in the State that issue building permits to implement SolarAPP+ or a functionally equivalent online automated permitting platform that verifies code compliance and issues permits to licensed contractors for solar distributed energy resource systems in real time by January 1, 2024;
- (2) Require government entities in the State that issue building permits to adopt self-certification for solar distributed energy resource systems that are not SolarAPP+ compatible;
- (3) Exempt work with respect to residential distributed energy resource systems from the professional engineers, architects, surveyors, and landscape architects licensure law; and
- (4) Increase the estimated cost of work threshold for certain structures below which the professional engineers, architects, surveyors, and landscape architects licensure law is inapplicable.

Your Committees received testimony in support of this measure from the Hawaii Green Infrastructure Authority; Alternate Energy, Inc.; Blue Planet Foundation; Climate Protectors Hawai'i; Environmental Caucus of the Democratic Party of Hawai'i; Fortress Power; Grand Solar, Inc.; Hawaii Food Industry Association; Hawaii Solar Energy Association; Kaua'i Climate Action Coalition; Malama Kaua'i; Our Revolution Hawaii; Photonworks Engineering LLP; Sierra Club of Hawai'i; Sunnova; Sungage Financial, LLC; Sunrun; Sunspare Energy, LLC; Ulupono Initiative; 350Hawaii.org; Tesla; Hawai'i Unified Industries, LLC; and fifty-one individuals. Your Committees received testimony in opposition to this measure from the American Institute of Architects Hawaii State Council and one individual. Your Committees received comments on this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects and Kaua'i Island Utility Cooperative.

Your Committees find that permitting bottlenecks and backlogs impede progress and add unnecessary cost, time, and risk to the State's transition to renewable energy. This impacts all residents and businesses in Hawaii, particularly those that have not yet been able to install or participate in a solar and energy storage project. As the cost to install renewable energy decreases and systems become more available and accessible to underserved members of the community, this measure removes the burdensome and time-consuming review process and replaces it with a standardized, peer-reviewed national product safety certification and product documentation requirement, thus facilitating the continued transition to renewable energy.

Your Committees acknowledge the concerns raised in testimony that the exemptions to the professional engineers, architects, surveyors, and landscape architects licensure law for certain projects made by this measure could jeopardize the safety of those projects. Your Committees also recognize that the self-certification process requirements established by this measure should apply only in territories served by an investor-owned electric utility, rather than an electric cooperative.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language to clarify that the self-certification process requirements established by this measure shall apply only to a government entity in the State that issues building permits in territories served by an investor-owned electric utility;
- (2) Deleting language that would have created an exemption from the professional engineers, architects, surveyors, and landscape architects licensure law for work with respect to residential distributed energy resource systems and for certain structures under a certain dollar 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 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. 781, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 781, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 906 (Joint/Majority) Commerce and Consumer Protection and Ways and Means on S.B. No. 682**

The purpose and intent of this measure is to prohibit the sale, offer for sale, display for sale, trade, or distribution of certain animal fur products in the State.

Your Committees received testimony in support of this measure from the Animal Legal Defense Fund, Animal Defenders International, Animal Rights Hawai'i, Collective Fashion Justice, Four Paws USA, Hawaiian Humane Society, Humane Society Veterinary Medical Association, The Humane Society of the United States, In Defense of Animals, Last Chance for Animals, People for the Ethical Treatment of Animals, Project Coyote, and six individuals. Your Committees received testimony in opposition to this measure from the Natural Fibers Alliance. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that animals raised on fur farms typically spend their entire lives in cramped and filthy cages. Fur farmers typically use the cheapest killing methods available, including suffocation, electrocution, gas, and poison. Additionally, fur farms are sources and transmission vectors for dangerous zoonotic disease, including SARS coronaviruses, that threaten public health. Moreover, the fur production process is energy intensive and has a significant environmental impact, including air and water pollution. This measure prevents the unnecessary killing and cruel treatment of animals, harm to the environment, and the public health risks created by fur farming practices.

Your Committees note the concerns raised in testimony that this measure, as currently drafted, does not identify an agency responsible for implementing and enforcing its provisions. The Department of Land and Natural Resources currently enforces a similar statute prohibiting the sale of animal products, including fur, of certain exotic wildlife. Therefore, amendments to this measure are necessary to place the enforcement of this measure within the Department of Land and Natural Resources.

Accordingly, your Committees have amended this measure by:

- (1) Establishing the provisions of this measure as a new section in chapter 183D, Hawaii Revised Statutes, rather than as a new chapter;
- (2) Inserting language authorizing the Department of Land and Natural Resources to adopt rules to implement and enforce the provisions of this measure;
- (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 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. 682, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 682, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, 1 (Awa). Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 907 Ways and Means on S.B. No. 35**

The purpose and intent of this measure is to expand access to civil legal services in the State.

More specifically, the measure appropriates funds to 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 Department of Human Services, Hawaii Friends of Civil Rights, The Legal Clinic, Hawaii Coalition for Immigrant Rights, Volunteer Legal Services Hawaii, Legal Aid Society of Hawaii, Hawaii Access to Justice Commission, and two individuals.

Your Committee finds that this measure's appropriation will support nonprofit and volunteer organizations that provide quality legal services to low- and moderate-income persons who require these services but cannot afford to pay for them.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$1,200,000 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. 35, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 35, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 908      Ways and Means on S.B. No. 62**

The purpose and intent of this measure is to promote and increase medical education and training.

Specifically, this measure:

- (1) Reestablishes the Hawaii medical education special fund to support graduate medical education and training programs;
- (2) Appropriates moneys for the creation of additional medical residencies and training opportunities for medical students in counties with populations of not more than five hundred thousand; and
- (3) Appropriates moneys for the expansion of medical residency and training opportunities in partnership with the United States Department of Veterans Affairs.

Your Committee received written comments in support of this measure from Hawaii Pacific Health, Hawaii Primary Care Association, Kaiser Permanente, The Queen's Health System, and Hawaii Medical Association.

Your Committee received written comments on this measure from the University of Hawaii, Department of the Attorney General, and Department of Budget and Finance.

Your Committee finds that the State currently faces a shortage of physicians, which has resulted in some residents being unable to obtain timely and appropriate care. Your Committee further finds that this measure will help to both increase the number of physicians and encourage those physicians to practice medicine in the State.

Your Committee has amended this measure by:

- (1) Adding a new section that appropriates moneys from the Hawaii medical education special fund for the purposes of medical education and training programs; 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. 62, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 62, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 909      Ways and Means on S.B. No. 86**

The purpose and intent of this measure is to require the Department of Agriculture to update the state agriculture functional plan.

Your Committee received written comments in support of this measure from Hawaii Farmers Union United, Hawaii Farm Bureau, and two individuals.

Your Committee received written comments on this measure from the Office of Planning and Sustainable Development and Department of Agriculture.

Your Committee finds that since the state agriculture functional plan was last updated in 1991, Hawaii's agricultural industry has significantly grown and diversified to include flowers and nursery products, vegetables, fruits, forest products, cacao, coffee, and aquaculture. Updating the state agriculture functional plan will help to provide guidance for agricultural development in Hawaii that considers how agriculture has changed over the past thirty years.

Your Committee has amended this measure by:

- (1) Removing the requirement for the Department of Agriculture to include seafood sustainability in the updated state agriculture functional plan;
- (2) Clarifying that the State's priorities are increasing local food self-sufficiency and exports;

- (3) Providing the Governor with one additional year to submit the updated state agriculture functional plan;
- (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. 86, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 86, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 910 Ways and Means on S.B. No. 98**

The purpose and intent of this measure is to require:

- (1) The Auditor to conduct an audit of the Department of Land and Natural Resource's Aquatic Resources Division's expenditures of funds received from the federal Wildlife and Sport Fish Restoration program and to submit a report to the Legislature prior to the convening of the Regular Session of 2024; and
- (2) The Division of Aquatic Resources to submit an annual report to the Legislature, beginning in 2025, summarizing the Division's expenditure of funds received from the Wildlife and Sport Fish Restoration program for the preceding year and providing the recipient and purpose of each expenditure.

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 Office of the Auditor.

Your Committee finds that the oversight provided by this measure's annual reporting requirements will help ensure that federal funds are being used most effectively to support fishing, hunting, and wildlife conservation in the State.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the Auditor conduct an audit, based on written comments from the Office of the Auditor;
- (2) Codifying in section 187A-9, Hawaii Revised Statutes, the requirement that the Division of Aquatic Resources submit an annual report to the Legislature; 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. 98, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 98, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 911 Ways and Means on S.B. No. 106**

The purpose and intent of this measure is to provide greater flexibility in the reporting of information on coronavirus disease 2019 (COVID-19) by the Department of Education.

More specifically, the measure:

- (1) Authorizes the Department of Health to require the Department of Education to report COVID-19 case counts and other related information in a manner most appropriate to public health and safety, as determined by the Department of Health; and
- (2) Repeals the requirement that weekly reports be published on the Department of Education's website.

Your Committee received written comments in opposition to this measure from three individuals.

Your Committee received written comments on this measure from the Department of Education and Department of Health.

Your Committee finds that the existing weekly COVID-19 reporting requirement is an administrative burden on Department of Education schools and that modifying the nature of the reporting in a manner that is acceptable to the Department of Health will require the two departments to continue their collaborative efforts to respond to potential outbreaks of infectious illnesses in schools and, accordingly, will continue to ensure public health and safety.

Your Committee has amended this measure by changing the description of the COVID-19 information to be reported from "case counts and related information" to "potential outbreaks and related information."

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 106, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 106, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 912 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 693**

The purpose and intent of this measure is to mandate reimbursement for services provided by participating registered pharmacists practicing within their scope of practice by private and public health plans in the State beginning January 1, 2024.

Your Committees received testimony in support of this measure from the University of Hawai'i at Hilo; Daniel K. Inouye College of Pharmacy; Board of Pharmacy; American Pharmacists Association; American Society of Health-System Pharmacists; AARP Hawai'i; Community First, Inc.; Big Island Docs; Hawai'i Pacific Health; Hawai'i Pharmacists Association; The Family Medicine Center; KTA Super Stores; Pharmicare Hawaii; Walgreen Co.; National Community Pharmacists Association; The Keto Prescription Clinic, LLC; and twenty-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 Human Services, Department of Commerce and Consumer Affairs, and The Queen's Health System.

Your Committees find that pharmacists provide various services to patients other than dispensing medication, including educating them on how and when to check blood sugar, ways to avoid and manage hypoglycemia, how to take their medications correctly to avoid adverse effects, and various medication utilization techniques; performing immunizations; ordering routine drug therapy related tests; providing consultations to patients; and prescribing and dispensing opioid antagonists. Your Committees further find that pharmacies are geographically dispersed throughout the communities of the State with extended hours of operation, making them convenient places for patients to access health care, especially in rural areas and neighbor islands experiencing a shortage of health care providers. Your Committees find however, that many pharmacies in the State are closing due to the lack of a methodology by which pharmacists can submit claims to a patient's insurance plan for services other than dispensing medication. This measure will ensure that pharmacists are directly reimbursed for services they perform within their scope of practice, allowing them to continue to serve their communities and provide patients with access to health care throughout the State.

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. 693, 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, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 913 (Joint/Majority) Commerce and Consumer Protection and Ways and Means on S.B. No. 674**

The purpose and intent of this measure is to:

- (1) Adopt the Interstate Medical Licensure Compact to create a comprehensive process that complements the existing licensing and regulatory authority of state medical boards and provides a streamlined process that allows physicians to become licensed in multiple states;
- (2) Require the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact; and
- (3) Appropriate funds for the implementation of the Compact.

Your Committees received testimony in support of this measure from the Hawaii Medical Board, AlohaCare, Hawaii Association of Health Plans, Hawaii Medical Association, Hawai'i Primary Care Association, Hawai'i Pacific Health, Healthcare Association of Hawaii, The Queen's Health System, and Hawaii Medical Service Association. Your Committees received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committees received comments on this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Grassroot Institute of Hawaii, and one individual.

Your Committees find that the State is experiencing a severe shortage of professionals in the health care workforce, especially in rural areas. This shortage became even more evident during the coronavirus disease 2019 pandemic when health care facilities were forced to require staff to work additional hours and consecutive shifts to meet increased demand. This measure will address the shortage of medical providers in the State by streamlining the process for physicians to become licensed in multiple states and mobilize where there is the greatest need.

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. 674, 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 (Awa). Excused, none.

Ways and Means: Ayes, 13. Noes, none. Excused, none.

**SCRep. 914 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 463**

The purpose and intent of this measure is to:

- (1) Require each county to adopt, no later than June 30, 2024, ordinances applicable to subdivisions not approved by July 1, 2024, requiring as a condition of approval, the subdivider or developer to obtain a street address and install a mailbox for lots, parcels, structures, or units of a structure within the subdivision before the sale or lease thereof;
- (2) Require condominium maps recorded in the Bureau of Conveyances or registered in the Land Court after June 30, 2024, to include a mailbox plan for the condominium property regime, showing the location of all mailboxes for all units in the regime;
- (3) Define approval, mail, mailbox, street address, subdivider, and subdivision; and



- (4) Require, prior to the sale of residential real property, the disclosure as to the existence of a United States Postal Service deliverable mailbox for the property.

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 Planning and Permitting of the City and County of Honolulu.

Your Committees find that certain post offices do not have the capacity to deal with the growing populations they serve. This problem is becoming increasingly urgent as many of those affected by the lack of mail service rely on the United States Postal Service as their means of receiving correspondence, obtaining prescriptions, and paying bills. Ensuring that all parcels within newly created subdivisions have a mailbox will reduce the strain on local post offices and bring much needed relief to affected residents throughout 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 Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 463, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 463, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 915 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 389**

The purpose and intent of this measure is to require all places of public accommodation and state building construction constructed after December 31, 2023, to provide universal changing accommodations that are equally accessible to men and women.

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; Epilepsy Foundation of Hawaii; Hawai'i Family Caregiver Coalition; Rainbow Family 808.com Inc.; and six individuals. Your Committees received comments on this measure from the Hawai'i Civil Rights Commission.

Your Committees find that families and caregivers of people with disabilities who require changing facilities want to participate in as many activities and outings as possible. However, extensive planning and consideration must be given to their outings, including daily activities, to ensure accessible spaces and disability-friendly rest areas. Implementation of universal changing accommodations increase the number of spaces families and caregivers can incorporate into daily outings or trips. This measure provides equity for all individuals accessing public spaces by providing universal, safe, and dignified accommodations.

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 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. 389, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 389, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 916 (Joint/Majority) Commerce and Consumer Protection and Ways and Means on S.B. No. 63**

The purpose and intent of this measure is to:

- (1) Allow the Board of Nursing to issue temporary permits for six-month periods to registered nurses and practical nurses licensed in another jurisdiction under certain circumstances, and except from license requirements nurses who are licensed in another state, territory, or country accompanying a patient from out-of-state for a period of less than two weeks and not employed or affiliated with a health care facility in the State; and
- (2) Allow an out-of-state registered nurse or licensed practical nurse to simultaneously apply for a license to practice and a temporary permit, and in such circumstances, extends the validity of a temporary permit to until the Board of Nursing approves the application to practice.

Your Committees received testimony in support of this measure from Hawai'i Pacific Health, The Queen's Health System, Healthcare Association of Hawaii, Hawaii Association of Health Plans, and Hawai'i State Center for Nursing. 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, Board of Nursing, and Grassroot Institute of Hawaii.

Your Committees find that the State is faced with a shortage of health care professionals in every field, including nurses. There are approximately one thousand open nursing positions statewide. To meet the shortfall of nurses, hospitals hire temporary and traveling nurses. These nurses must apply for a temporary permit and fulfill certain credentialing requirements before they are eligible to work in the State. However, there is considerable lag time between the submission of an application for a temporary permit and its issuance. In the meantime, the nurse is unable to work, and unable to help alleviate the State's nurse staffing shortage. This measure will help streamline the permitting process for temporary nurses to address the shortage of health care professionals 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 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. 63, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 63, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, 1 (Awa). Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 917 Ways and Means on S.B. No. 360**

The purpose and intent of this measure is to facilitate the development of a paid family leave insurance program in the State.

Specifically, this measure:

- (1) Requires the Department of Labor and Industrial Relations to study the development of a family leave insurance program that pays family leave insurance benefits and to submit a report of its findings and recommendations prior to the Regular Session of 2024; and
- (2) Appropriates moneys to, and establishes positions in, the Department of Labor and Industrial Relations to conduct the study.

Your Committee received written comments in support of this measure from Rainbow Family 808, Hawaii State Democratic Women's Caucus, AAUW of Hawaii, Americans for Democratic Action Hawaii, Hawaii Public Health Institute, Hawaii Women Lawyers, Hawaii Foodbank, Hawaii Family Support Institute, Samuel N. and Mary Castle Foundation, Hawaii State Coalition Against Domestic Violence, Hawaii Friends of Restorative Justice, Sunshine Therapy, and more than twenty individuals.

Your Committee received written comments in opposition to this measure from two individuals.

Your Committee received written comments on this measure from the Department of Labor and Industrial Relations; We Are One, Inc.; Democratic Party of Hawaii Labor Caucus; Hawaii State Teachers Association; Stonewall Caucus of the Democratic Party of Hawaii; Chamber of Commerce Hawaii; Democratic Party of Hawaii Education Caucus; Imua Alliance; Hawaii Children's Action Network Speaks!; League of Women Voters Hawaii; Parents and Children Together; IATSE 665; SHRM Hawaii; Hawaii Alliance for Progressive Action; Chamber of Sustainable Commerce; Save Medicaid Hawaii; and more than fifteen individuals.

Your Committee finds that, as of 2018, only seventeen percent of workers in the United States had access to paid family leave through their employers. Your Committee further finds that women, as primary caregivers of infants, children, and elderly parents, are disproportionately affected by the absence of a paid family leave system.

Your Committee has amended this measure by:

- (1) Requiring the Department of Labor and Industrial Relations to develop a procedural manual to implement a family leave insurance system, rather than conduct a study;
- (2) Requiring the Department of Labor and Industrial Relations to consult with the Insurance Commissioner in developing the procedural manual;
- (3) Clarifying that the Department of Labor and Industrial Relations shall submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025;
- (4) Removing language that would have established an unspecified number of full-time equivalent positions; 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. 360, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 360, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 918 Ways and Means on S.B. No. 732**

The purpose and intent of this measure is to honor and commemorate the histories, cultures, and traditions of indigenous peoples.

More specifically, the measure:

- (1) Designates the second Monday in October as Indigenous Peoples' Day;
- (2) Establishes Indigenous Peoples' Day as a state holiday; and
- (3) Repeals the designation of general election days as state holidays.

Your Committee received written comments in support of this measure from the Volcano School of Arts and Sciences and one individual.

Your Committee received written comments in opposition to this measure from the Center for Hawaiian Sovereignty Studies and one individual.

Your Committee received written comments on this measure from the Department of Human Resources Development and Department of Budget and Finance.

Your Committee finds that the designation of Indigenous Peoples' Day as a state holiday will foster greater appreciation for the State's obligation to the original inhabitants of the Hawaiian Islands and the State's continued protection of customary and traditional rights exercised by the descendants of those indigenous people.

Your Committee notes the written comments of the Department of Budget and Finance estimating that the annual cost of this additional state holiday in a non-election year is approximately \$17,000,000 with respect to lost productivity. Your Committee respectfully requests that this projected cost be considered as the measure moves forward in the legislative process.

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. 732, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 732, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 919 Ways and Means on S.B. No. 733**

The purpose and intent of this measure is to mandate the establishment and maintenance of, require certain reports regarding, and appropriate moneys relating to Hawaiian cultural centers within the State.

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 Center for Hawaiian Sovereignty Studies.

Your Committee received written comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that Native Hawaiian culture and history make Hawaii a unique place in the world. Your Committee believes that the establishment of the cultural centers proposed by this measure will help bring proper recognition of this culture and history.

Your Committee has amended this measure by:

- (1) Referring to the proposed centers as "Native Hawaiian cultural centers;"
- (2) Providing that each Native Hawaiian cultural center shall focus on elevating and uplifting the Native Hawaiian people;
- (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 S.B. No. 733, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 733, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 920 Ways and Means on S.B. No. 743**

The purpose and intent of this measure is to support and protect Hawaii's coffee industry by responding effectively to ongoing and severe threats posed by coffee pests.

More specifically, the measure:

- (1) Extends the sunset date of the Department of Agriculture's coffee berry borer and coffee leaf rust pesticide subsidy program to June 30, 2025;
- (2) Extends the Department of Agriculture's pesticide subsidy program manager position until June 30, 2026; and
- (3) Appropriates funds for the program and program manager position.

Your Committee received written comments in support of this measure from the Department of Agriculture, University of Hawaii, Hawaii Coffee Association, Kona Coffee Farmers Association, Hawaii Farm Bureau, Kanalani Ohana Farm, Kona Restoration Farm, and five individuals.

Your Committee finds that this measure's extension of the pesticide subsidy program, which helps coffee farmers offset the costs of purchasing United States Food and Drug Administration-approved pesticides to control coffee pest infestations, will help to protect the health of the local coffee industry and ensure the continued production of this important crop.

Your Committee has amended this measure by:

- (1) Changing each of the appropriation amounts from \$150,000 to unspecified amounts;
- (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. 743, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 743, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 921 Ways and Means on S.B. No. 755**

The purpose and intent of this measure is to require the State Council on Developmental Disabilities to submit a report to the Legislature on the health disparities experienced by persons in the State having developmental or intellectual disabilities.

Your Committee received written comments in support of this measure from the Office of Hawaiian Affairs, State Council on Developmental Disabilities, Disability and Communication Access Board, University of Hawaii, and one individual.

Your Committee received written comments on this measure from one individual.

Your Committee finds that the report required by this measure will help the State better understand the health disparities experienced by, and social determinants of health for, persons in the State having developmental or intellectual disabilities. This data will allow the State to identify the optimal allocation of resources to support persons having developmental or intellectual abilities and to improve their access to care.

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 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. 755, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 755, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 922 Ways and Means on S.B. No. 759**

The purpose and intent of this measure is to facilitate the provision of health care for rural residents in the County of Hawaii.

Specifically, the measure:

- (1) Requires the Department of Health's Office of Primary Care and Rural Health to establish and administer a pilot program to address the health and wellness needs of the County of Hawaii's most underserved residents and develop a 2030 one shared health vision plan for the County of Hawaii; and
- (2) Appropriates moneys for one full-time equivalent (1.0 FTE) program specialist IV position within the Department of Health's Family Health Services Division.

Your Committee received written comments in support of this measure from the Hawaii State Youth Commission, Hawaii Island Community Health Center, and one individual.

Your Committee received comments on this measure from the Department of Health and West Hawaii Community Health Center.

Your Committee finds that residents in rural areas of the State face barriers in obtaining access to health care. Your Committee therefore believes that the State should take steps to oversee and support community efforts to address the health and wellness needs of these residents.

Your Committee has amended this measure by:

- (1) Replacing the proposed pilot program a requirement that the Office of Primary Care and Rural Health oversee and support community efforts to collaboratively address the health and wellness needs of the State's most underserved rural residents to develop plans that align with appropriate providers' goals and objectives;
- (2) Replacing the measure's legislative report requirement with a requirement that the Office of Primary Care and Rural Health include a one-time summary of community plans with the report that is to be submitted to the Legislature prior to the Regular Session of 2024, pursuant to section 321-1.5, Hawaii Revised Statutes; 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 S.B. No. 759, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 759, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 923 Ways and Means on S.B. No. 801**

The purpose and intent of this measure is to encourage the development of work-based educational programs in the State.

More specifically, this measure:

- (1) Establishes a qualified internship income tax credit for employers of qualified interns;
- (2) Requires qualified internships to fulfill requirements of the Department of Education and University of Hawaii work-based learning programs;
- (3) Provides an application and certification process for claims of credits to be administered by the Department of Labor and Industrial Relations;
- (4) Requires reports to the Legislature from the Department of Taxation and Department of Labor and Industrial Relations; and
- (5) Appropriates an unspecified amount of funds to the Department of Taxation to establish and implement the tax credit.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, University of Hawaii, Chamber of Commerce Hawaii, Hawaii Gas, Hawaii Restaurant Association, HawaiiKidsCAN, and two individuals.

Your Committee received written comments on this measure from the Department of Education, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that local students will have a better chance at thriving in Hawaii if they have an opportunity to participate in a high-quality work-based learning experience before they graduate from high school. Your Committee also finds that, to drastically increase work-based learning experience opportunities for students, offering additional financial resources for employers will both incentivize companies to offer work-based learning opportunities and increase capacity to host student interns.

Your Committee has amended this measure by:

- (1) Clarifying that a taxpayer may claim a tax credit for each qualified intern the taxpayer employs;
- (2) Establishing an aggregate cap amount for the tax credit;
- (3) Clarifying that the tax credit is nonrefundable;
- (4) Clarifying the certification responsibilities of the Department of Labor and Industrial Relations;
- (5) Removing inapplicable language regarding refundable tax credits;
- (6) Providing that the Department of Taxation's report to the Legislature shall be submitted no later than January 1, 2026;
- (7) Clarifying that section 2 of the measure shall apply to taxable years beginning after December 31, 2023;
- (8) Clarifying that section 5 of the measure shall take effect on July 1, 2023; and
- (9) 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. 801, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 801, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 924 Ways and Means on S.B. No. 811**

The purpose and intent of this measure is to provide for more accurate demographic data processing by the State.

More specifically, this measure:

- (1) Requires state agencies, boards, and commissions to use certain demographic data categories and tabulations;
- (2) Requires the Department of Health, Department of Labor and Industrial Relations, Department of Human Services, and each county police department to make certain disaggregated data available to the Office of Hawaiian Affairs, Office of Health Equity, and general public; and
- (3) Establishes a task force on twenty-first century data governance to assess the current data collection, processing, retention, and sharing procedures; needs; and challenges across state agencies.

Your Committee received written comments in support of this measure from Filipinos for Affirmative Action, Hawaii Coalition for Immigrant Rights, and four individuals.

Your Committee received written comments on this measure from the Department of Education, Department of Labor and Industrial Relations, University of Hawaii, Hawaii Friends of Civil Rights, and Papa Ola Lokahi.

Your Committee finds that using separate collection categories and tabulations for demographic data on Native Hawaiian, Asian, and Pacific Islander groups will ensure that the data is collected by the State in a manner that accurately represents the diversity of these communities.

Your Committee has amended this measure by:

- (1) Clarifying the task force on twenty-first century data governance's subject matter scope;
- (2) Inserting a dissolution date of June 30, 2024, for the task force; 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. 811, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 811, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 925      Ways and Means on S.B. No. 813**

The purpose and intent of this measure is to require the Judiciary to increase the hourly fees, reimbursement rate, and commuter-time compensation rate for court interpreters to reflect the significant increase in the cost of living in Hawaii.

Your Committee received written comments in support of this measure from the Judiciary, Office of Language Access, Hawaii Coalition for Immigrant Rights, and two individuals.

Your Committee received written comments on this measure from the Judiciary.

Your Committee finds that court interpreters are valued professionals who provide critical language access in the State's courts. Court interpreters should be paid fairly for their work, and your Committee finds that a rate adjustment is warranted.

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. 813, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 813, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 926      Ways and Means on S.B. No. 814**

The purpose and intent of this measure is to require the Office of Enterprise Technology Services, in consultation with the Office of Language Access and a working group comprising stakeholders, to develop, publish, review, and update multilingual electronic information technology accessibility standards to be implemented by all state entities.

Your Committee received written comments in support of this measure from the Hawaii Coalition for Immigrant Rights, Hawaii Friends of Civil Rights, Hawaii Children's Action Network Speaks!, and two individuals.

Your Committee received written comments on this measure from the Department of Human Services, Office of Language Access, and Disability and Communication Access Board.

Your Committee finds that developing statewide electronic information technology accessibility standards to assist persons having limited English proficiency will help residents navigate government programs and improve residents' engagement with public services.

Your Committee has amended this measure by:

- (1) Changing the amount of the appropriation from \$100,000 to an unspecified sum 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. 814, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 814, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 927      Ways and Means on S.B. No. 726**

The purpose and intent of this measure is to repeal the administrative assistant position within the Department of Human Resources Development and to reassign the responsibilities of the administrative assistant to the assistant to the director.

Your Committee received written comments on this measure from the Department of Human Resources Development.

Your Committee finds that this measure repeals and reassigns the responsibilities of a currently unbudgeted position.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 726, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 928      Ways and Means on S.B. No. 467**

The purpose and intent of this measure is to propose an amendment to the Hawaii State Constitution that states that limitations on moneys expended by any noncandidate committee making only independent expenditures to influence the outcome of a state election shall be as provided by law.

Your Committee received written comments in support of this measure from the Democratic Party of Hawaii and two individuals.

Your Committee received written comments on this measure from the Department of the Attorney General and Campaign Spending Commission.

Your Committee finds that certain well-funded entities expend significant sums of money in their attempts to influence the outcomes of state elections. Your Committee believes that these expenditures should be limited, as provided by 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. 467, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 929      Ways and Means on S.B. No. 419**

The purpose and intent of this measure is to appropriate moneys for the Hawaii carbon smart land management assistance pilot program to help keep forests and farmlands intact and sequester additional carbon on the lands.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii Climate Change Mitigation and Adaptation Commission, Pacific Agricultural Land Management Systems, The Nature Conservancy Hawaii, Kauai Climate Action Coalition, Hawaii Farm Bureau, Hawaii Environmental Change Agents Carbon Sequestration Task Force, Capture the Carbon, Hawaii Forest Industry Association, Hawaii Farmers Union United, Food+ Policy Internship, Hawaii Cattlemen's Council, and ten individuals.

Your Committee received written comments in opposition to this measure from two individuals.

Your Committee finds that the State has committed to achieving carbon neutrality by 2045. To meet this commitment, the State must make investments to reduce emissions of carbon dioxide and methane and mitigate the effects of past emissions. Your Committee further finds that this measure will allow small farmers, ranches, foresters, and landowners and lessees to be compensated for measures taken to help the State achieve carbon neutrality.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated 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. 419, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 419, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 930      Ways and Means on S.B. No. 409**

The purpose and intent of this measure is to support fire prevention efforts within the State.

More specifically, the measure:

- (1) Appropriates funds for the community fuels reduction project of the Division of Forestry and Wildlife, Department of Land and Natural Resources, to support wildfire prevention and hazardous fuel reduction measures; and
- (2) Requires the Department of Land and Natural Resources, beginning with fiscal year 2025-2026 and each fiscal year thereafter, to establish the project as a separate line item within the Department's budget.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii State Fire Council, Maui Fire Department, Big Island Invasive Species Committee, and two individuals.

Your Committee finds that wildfires are a significant and growing hazard across the State, and that the funding provided by this measure will support efforts by the Department of Land and Natural Resources to reduce hazardous fuels on the landscape that threaten watersheds, adjacent communities, and critical public infrastructure such as power lines and communication facilities.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 409, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 931      Ways and Means on S.B. No. 393**

The purpose and intent of this measure is to promote the use of mediation for certain landlord-tenant disputes.

More specifically, this measure:

- (1) Until December 31, 2024:
  - (A) Extends the period for notice of termination of a rental agreement;
  - (B) Requires landlords to engage in mediation and delay filing an action for summary possession if a tenant schedules or attempts to schedule mediation; and

- (C) Requires landlords to include specific information in the notice provided to tenants and certain mediation centers;
- (2) Appropriates moneys for the pre-litigation mediation program; and
- (3) Appropriates moneys for and creates an emergency rent relief program to provide resources to help certain participants in pre-litigation mediation to avoid eviction and maintain stable tenancies.

Your Committee received written comments on this measure from Hawaii REALTORS.

Your Committee finds that extending the pre-litigation mediation program created by Act 57, Session Laws of Hawaii 2021, will help many residents of the State to remain in stable housing and avoid costly judicial proceedings and judgments.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 393, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 932 Ways and Means on S.B. No. 270**

The purpose and intent of this measure is to improve wage and hour laws and compliance with those laws.

Specifically, this measure:

- (1) Requires the Department of Labor and Industrial Relations to submit an annual report regarding enforcement of the wage and hour law, including information on the complaints filed, investigatory actions taken, violations found, and penalties collected;
- (2) Requires the Director of Labor and Industrial Relations to establish investigation standards to protect employees who report labor law violations; and
- (3) Requires the Director of Labor and Industrial Relations to establish a program to provide education on wage and hours laws.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories and Canada, Local 665; Maui Chamber of Commerce; and five individuals.

Your Committee received written comments in opposition to this measure from the Hawaii Restaurant Association, Magics Beach Grill, and Tiki's Grill and Bar.

Your Committee received written comments on this measure from the Democratic Party of Hawaii Labor Caucus, Hawaii Ironworkers Stabilization Fund, Stonewall Caucus of the Democratic Party of Hawaii, Save Medicaid Hawaii, Chamber of Sustainable Commerce, Imua Alliance, Democratic Party of Hawaii Education Caucus, Hawaii Workers Center, and sixteen individuals.

Your Committee finds that requiring the Department of Labor and Industrial Relations to submit a report regarding enforcement of the wage and hour law will help the Legislature to develop policies to improve wages and compliance with state employment laws.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 270, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 933 Ways and Means on S.B. No. 404**

The purpose and intent of this measure is to expand and make permanent the Hospital Sustainability Program.

Specifically, this measure:

- (1) Repeals the sunset date of the Hospital Sustainability Program;
- (2) Authorizes the Department of Human Services to modify, add, or remove the facilities that are subject to the assessment, under certain conditions;
- (3) Authorizes the Department of Human Services to determine the fee rate of the program;
- (4) Requires managed health care plans to expend all of their increased payments for the purposes of the program;
- (5) Requires that the hospital sustainability fee shall be discontinued if the Department of Human Services reduces certain reimbursement rates; and
- (6) Appropriates \$200,000,000 to the hospital sustainability program special fund.

Your Committee received written comments in support of this measure from the Hawaii Primary Care Association, Kaiser Permanente, Hawaii Pacific Health, Queen's Health System, Hilo Medical Center, and Palolo Chinese Home.

Your Committee received written comments on this measure from the Department of Human Services and Healthcare Association of Hawaii.

Your Committee finds that the Hospital Sustainability Program has helped to fund hospital services for Medicaid recipients by assessing fees on the hospitals, using the revenue from those fees to obtain matching federal funds, and returning more moneys to the hospitals than were assessed in fees, which are then used to supplement the cost of providing services for Medicaid recipients. Your



Committee further finds that making the program permanent will help to ensure the long-term financial sustainability of hospitals in Hawaii.

Your Committee has amended this measure by:

- (1) Requiring the Department of Human Services to pay the hospital sustainability fee within sixty days after the end of the month that the Department imposes the fee;
- (2) Changing the appropriation to an unspecified amount; 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. 404, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 404, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 934      Ways and Means on S.B. No. 340**

The purpose and intent of this measure is to ensure the continued availability of public housing units in the State.

More specifically, the measure appropriates \$20,200,000 in each of fiscal years 2023-2024 and 2024-2025 for the Hawaii Public Housing Authority to rehabilitate, remodel, renovate, and repair two hundred and fifty-five public housing units in the State.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority, Partners in Care, Catholic Charities Hawaii, and two individuals.

Your Committee finds that the funding provided by this measure will enable the Hawaii Public Housing Authority to maintain its inventory of public housing units in a safe and habitable condition.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$20,200,000 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 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. 340, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 340, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 935      Ways and Means on S.B. No. 297**

The purpose and intent of this measure is to provide for greater legislative oversight of certain activities involving grants awarded under Chapter 42F, Hawaii Revised Statutes.

More specifically, the measure requires an organization to obtain legislative approval prior to the disposition of land acquired by the organization using a state grant, beginning July 1, 2024.

Your Committee received written comments on this measure from the Office of Community Services of the Department of Labor and Industrial Relations.

Your Committee finds that this measure provides the Legislature with discretion to authorize, on a case-by-case basis, a grant recipient's request to dispose of land acquired using grant moneys, and that this discretion will allow for closer examination of the manner in which the State's financial resources are used.

Your Committee has amended this measure by:

- (1) Deleting the reference to July 1, 2024, and adding a provision clarifying that the legislative authorization requirement shall only apply to land that was acquired after the enactment of this measure;
- (2) Changing the effective date to upon 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 S.B. No. 297, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 297, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 936 Ways and Means on S.B. No. 292**

The purpose and intent of this measure is to require that the Governor ensure that certain variance reports accurately reflect the current responsibilities of the applicable state programs, address the current and future needs of the State, and align with budget-related submittals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that by requiring that variance reports accurately reflect the current responsibilities of the applicable state programs, address the current and future needs of the State, and align with budget-related submittals, this measure will ensure fiscal transparency and the long-term financial health of the State.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 292, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 292, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 937 Ways and Means on S.B. No. 724**

The purpose and intent of this measure is to update the State's technology infrastructure.

More specifically, the measure:

- (1) Appropriates an unspecified sum to the Department of Human Resources Development for the enhancement of its technology resources, including the establishment of an unspecified number of full-time staff positions; and
- (2) Authorizes the issuance of general obligation bonds in an unspecified amount for the foregoing purposes.

Your Committee received written comments in support of this measure from Transform Hawaii Government.

Your Committee received written comments on this measure from the Department of Human Resources Development.

Your Committee finds that modernizing the computers and network infrastructure of the Department of Human Resources Development will allow the Department to provide faster responses, improve digital efficiencies, reduce paper usage, and better fulfill its mission.

Your Committee has amended this measure by:

- (1) Deleting the provision authorizing the issuance of general obligation bonds and including an unspecified appropriation out of the general fund to fund this initiative; 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. 724, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 724, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 938 Ways and Means on S.B. No. 722**

The purpose and intent of this measure is to establish the occupational safety and health special fund and direct that certain fees and penalties be deposited into the special fund.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations.

Your Committee received written comments in opposition to this measure from the Subcontractors Association of Hawaii.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that establishing a designated source of funding for the Department of Labor and Industrial Relations' personnel and operating expenses, and staff development and training, will help the Department with its staff development and retention efforts.

Your Committee has amended this measure by:

- (1) Changing the name of the occupational safety and health special fund to the workforce safety and health special fund; 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. 722, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 722, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 939 Ways and Means on S.B. No. 667**

The purpose and intent 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 received written comments in support of this measure from Aloha Diaper Bank; American Cancer Society Cancer Action Network; American Heart Association; Association of Fundraising Professionals Aloha Chapter; Big Brothers Big Sisters Hawaii; Catholic Charities Hawaii; Child & Family Service; Epilepsy Foundation of Hawaii; Family Promise of Hawaii; Grow Some Good; H.T. Hayashi Foundation; Hale Kipa, Inc.; Hawaii Alliance of Nonprofit Organizations; Hawaii Care Choices; Hawaii Fetal Alcohol Spectrum Disorders FASD Action Group; Hawaii Forest Industry Association; Hawaii Youth Services Network; Hawaiian Humane Society; Kilinahe Foundation; Kuikahi Mediation Center; Malama Kauai; The Nature Conservancy of Hawaii and Palmyra; Oahu Economic Development Board; Outrigger Duke Kahanamoku Foundation; Parents and Children Together; Samaritan Counseling Center Hawaii; YMCA of Honolulu; and ten individuals.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that this measure aligns the state general excise tax law with the federal income tax law by exempting from the State's general excise tax the fundraising income generated by tax-exempt nonprofit organizations, while retaining the general excise tax for gross income derived from any "unrelated trade or business," as defined by the Internal Revenue Code.

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. 667, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 667, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 940 Ways and Means on S.B. No. 588**

The purpose and intent of this measure is to require and appropriate moneys for the Department of Transportation, in conjunction with any county having a population greater than five hundred thousand, to develop a pilot program to use noise detection traffic cameras to address excessive traffic noise in urban areas of each participating county.

Your Committee received written comments in support of this measure from the Department of Transportation, Waikiki Neighborhood Board, Honolulu City Council, and numerous individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that excessive noise created by traffic is a prevalent issue throughout the State, especially in urban areas. Your Committee believes that establishing a pilot program to use noise detection traffic cameras is an appropriate method of addressing this issue.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Transportation, in conjunction with certain counties, is required to develop and implement the pilot program; 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. 588, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 588, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 941 Ways and Means on S.B. No. 576**

The purpose and intent of this measure is to promote openness and transparency in state government.

More specifically, the measure:

- (1) Requires reports of official travel by employees, officers, or other representatives of state departments or agencies to be made available for public review on the Comptroller's website, except for personally identifiable information; and
- (2) Appropriates funds to the Department of Accounting and General Services to implement and manage public access to the travel reports.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services.

Your Committee finds that the reporting required by this measure will enhance open government, transparency, and accountability by improving public access to this information.

Your Committee has amended this measure by:

- (1) Specifying that the Judiciary and University of Hawaii are included among the state departments and agencies whose employees or other representatives are required to report official travel;

- (2) Changing the appropriation from \$100,000 to an unspecified amount; 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. 576, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 576, S.D. 3.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 942      Ways and Means on S.B. No. 520**

The purpose and intent of this measure is to support the growth of the State's agricultural industry.

More specifically, the measure:

- (1) Establishes within the University of Hawaii community college system a five-year farm succession pilot program to further the knowledge and technical skills of young farmers;
- (2) Requires the University of Hawaii community college system to submit a report of its findings and recommendations, including any proposed legislation, to the 2029 Legislature; and
- (3) Appropriates funds in unspecified amounts to:
  - (A) The University of Hawaii, for implementation of the farm succession pilot program; and
  - (B) The Department of Agriculture, for extension of the farmer apprentice mentoring program established by Act 304, Session Laws of Hawaii 2022.

Your Committee received written comments in support of this measure from the Department of Agriculture, Hawaii Farm Bureau, Hawaii Food Hub Hui, Hawaii Farmers Union United, Hawaii Cattlemen's Council, and one individual.

Your Committee received written comments on this measure from the Department of the Attorney General and Ulupono Initiative.

Your Committee recognizes that more farmers are growing older and retiring from the agricultural industry, thus exacerbating an ongoing shortage of agricultural labor. Your Committee finds that the farm succession pilot program established by this measure, combined with extension of the existing farmer apprentice mentoring program, will alleviate this shortage and support the next generation of farmers in the State.

Your Committee notes that the cost to fund this measure would be \$910,000.

Your Committee has amended this measure by:

- (1) Establishing the farm succession pilot program within Leeward Community College rather than the University of Hawaii community college system, and replacing references to "University of Hawaii" with "Leeward Community College" where appropriate;
- (2) Including within the appropriation for the farm succession pilot program an unspecified allocation for the establishment of four full-time equivalent staff positions;
- (3) Clarifying that the appropriation in Section 3 of the measure shall be expended by the Department of Agriculture for purposes of Act 304, Session Laws of Hawaii 2022, which established the farmer apprentice mentoring program;
- (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. 520, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 520, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 943      Ways and Means on S.B. No. 494**

The purpose and intent of this measure is to address the potential hazards associated with vacant and abandoned residential properties.

Specifically, this measure:

- (1) Requires each county to establish an expedited procedure for approvals of demolition permits for vacant residential properties; and
- (2) Allows the Department of Taxation to seek nonjudicial foreclosure sales of vacant and abandoned residential properties with outstanding recorded state tax liens.

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 Taxation and Tax Foundation of Hawaii.

Your Committee finds that vacant and abandoned residential properties pose significant public safety hazards and may lead to a decline in values of surrounding properties and a reduction in the tax base for local governments.

Your Committee has amended this measure by:

- (1) Inserting an appropriation to fulfill the State's share of any mandated costs to the counties pursuant to Article VIII, section 5, of the Hawaii State Constitution; 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. 494, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 494, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 944 Ways and Means on S.B. No. 493**

The purpose and intent of this measure is to amend motor vehicle safety inspection requirements for new motor vehicles and electric vehicles for a period of three years.

More specifically, this measure:

- (1) Exempts new motor vehicles from motor vehicle safety inspection requirements for a period of three years;
- (2) Requires electric vehicles to be certified every twenty-four months; and
- (3) Establishes a basis for road usage charge fees to be paid for certain electric vehicles,

until June 30, 2026.

Your Committee received written comments on this measure from the Department of Transportation and Hawaii Automobile Dealers' Association.

Your Committee finds that exempting new vehicles from vehicle inspection requirements for three years and requiring that electric vehicles receive these inspections once every two years will allow the State to maintain high vehicle safety standards while also addressing the State's shortage of safety inspectors.

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. 493, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 493, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 945 Ways and Means on S.B. No. 485**

The purpose and intent of this measure is to establish an additional district court judgeship in the First Circuit.

Your Committee received written comments in support of this measure from the Judiciary, Department of the Prosecuting Attorney, Hawaii State Bar Association, and one individual.

Your Committee finds that the establishment of an additional District Court judge will help the court better manage court dockets, be more responsive to the needs of the community, increase the capacity of rural courts, and develop or expand specialized court calendars.

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. 485, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 485, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 946 Ways and Means on S.B. No. 420**

The purpose and intent of this measure is to establish a sustainable food system in the State that supports a vibrant and resilient local food economy.

More specifically, the measure:

- (1) Establishes within the Department of Agriculture a sustainable food systems working group to develop an interagency food systems plan that addresses, among other things:
  - (A) Food as a human right and healthy food for all persons;

- (B) Food system resilience and sustainability; and
- (C) Sustainable education, workforce development, and fair labor;
- (2) Requires the working group to submit the interagency food systems plan and any recommendations, including any proposed legislation, to the 2025 Legislature; and
- (3) Appropriates funds to the Department of Agriculture for:
  - (A) Expenses incurred by the working group; and
  - (B) An unspecified number of full-time equivalent sustainability specialist positions.

Your Committee received written comments in support of this measure from the Office of Hawaiian Affairs, Hawaii Tourism Authority, Hawaii Climate Change Mitigation and Adaptation Commission, North Shore Economic Vitality Partnership, Hawaii Public Health Institute, Hawaii Fishermen's Alliance for Conservation and Tradition, Kauai Climate Action Coalition, Malama Kaua'i, Hawaii Farm Bureau, HECA Carbon Sequestration Task Force, Hawaii Alliance for Progressive Action, Good Food Movement, Hawaii Food Industry Association, Hawaii Food Plus Policy Internship, Hawaii Cattleman's Council, Hawaii Foodbank, Ka Ohana O Na Pua, and numerous individuals.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Agriculture, Pacific Agricultural Land Management Systems, Ulupono Initiative, Hawaii Farmers Union United, and one individual.

Your Committee finds that the development of a more sustainable food system in Hawaii represents an opportunity to create a new food economy that integrates the objectives of "green" job creation, sustainable economic development, land stewardship, food security, environmental protection, and climate change resiliency with community health and well-being, and accordingly, will enhance and sustain the environmental, economic, and social health of the State.

Your Committee has amended this measure by:

- (1) Adjusting the composition of the sustainable food systems working group by:
  - (A) Adding one representative to be selected by the Office of Hawaiian Affairs; and
  - (B) Clarifying that the two members of the Native Hawaiian community to be selected by the Chairperson of the Board of Agriculture shall instead be two persons having familiarity, experience, or expertise in the Native Hawaiian community;
- (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. 420, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 420, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 947      Ways and Means on S.B. No. 1066**

The purpose and intent of this measure is to establish and appropriate moneys for a water security working group to study and recommend priority capital improvement projects that leverage public-private investment to increase the State's water security.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Board of Water Supply, Hawaii Department of Water Supply, Ulupono Initiative, Hawaii Community Foundation, and three individuals.

Your Committee finds that establishing a water security working group to identify priority capital improvement projects to enhance the State's water security will help to ensure the long-term protection and management of the State's water resources.

Your Committee notes that in its written comments in support of this measure, the Department of Land and Natural Resources recommended reducing the appropriation from \$200,000 to \$50,000.

Your Committee has amended this measure by:

- (1) Specifically placing the water security working group within the Commission on Water Resource Management, rather than the Department of Land and Natural Resources;
- (2) Clarifying that the Deputy Director of the Commission on Water Resource Management's designee may serve on the working group;
- (3) Inviting, rather than requiring, specific private entities to serve on the working group;
- (4) Changing the appropriation from \$200,000 to an unspecified amount to facilitate further discussion on the measure;
- (5) Changing the expending agency from the Department of Land and Natural Resources to the Commission on Water Resource Management; 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. 1066, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1066, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 948      Ways and Means on S.B. No. 113**

The purpose and intent of this measure is to promote the “Hawaii Made” and “Made in Hawaii” labeling programs.

More specifically, this measure:

- (1) Clarifies the requirements for an item to be labeled “Hawaii Made” or “Made in Hawaii”; and
- (2) Appropriates moneys to the Department of Business, Economic Development, and Tourism to promote and develop the “Made in Hawaii” brand.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Forest Industry Association; Maui Chamber of Commerce; and one individual.

Your Committee received written comments on this measure from the Department of Agriculture.

Your Committee finds that including operating and overhead expenses incurred and spent within the State in the “Hawaii Made” and “Made in Hawaii” calculations will enable more products to qualify for the “Hawaii Made” and “Made in Hawaii” labels.

Your Committee has amended this measure by:

- (1) Clarifying that, for the “Hawaii Made” and “Made in Hawaii” labeling programs, the calculations to determine the percentage of value added by production within the State include operating and overhead expenses incurred and spent within the State;
- (2) Changing the appropriation from \$150,000 to an unspecified amount;
- (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 S.B. No. 113, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 113, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 949      Ways and Means on S.B. No. 116**

The purpose and intent of this measure is to allow the counties to issue special number plates to commemorate Duke Kahanamoku.

More specifically, this measure:

- (1) Authorizes the issuance of special number plates commemorating 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 net revenue generated by the fundraising fees be directed to the Outrigger Duke Kahanamoku foundation to fund certain programs.

Your Committee received written comments in support of this measure from Duke’s Oceanfest; Hawaii Aquatics Foundation; North Shore Swim Series; Outrigger Duke Kahanamoku Foundation; Servco Pacific, Inc.; and numerous individuals.

Your Committee finds that the issuance of a special number plate 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:

- (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. 116, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 116, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 950      Ways and Means on S.B. No. 139**

The purpose and intent of this measure is to require and appropriate moneys for the Hawaii Public Housing Authority to conduct a study on certain state-owned lands that are located within a certain distance of rail mass transit stations and that are most suitable for constructing at least one hundred thousand housing units.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority and four individuals.

Your Committee received written comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that providing high-density affordable housing along Honolulu's rail mass transit line will help the State to effectively satisfy Hawaii's housing needs without creating widespread urban sprawl.

Your Committee has amended this measure by:

- (1) Authorizing the Hawaii Public Housing Authority to contract for services to conduct the required study;
- (2) Changing the appropriation from \$500,000 to an unspecified amount;
- (3) Changing the effective date of the appropriations for fiscal years 2023-2024 and 2024-2025 to July 1, 2051, and the effective date of the remaining provisions of this measure 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. 139, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 139, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 951      Ways and Means on S.B. No. 1015**

The purpose and intent of this measure is to increase the number of licensed nursing professionals in the State.

More specifically, the measure appropriates funds for the expansion of the certified nurse aide to practical nurse bridge program at the University of Hawaii Maui College, as follows:

- (1) \$130,000 for instructional costs, including the cost of casual employees and overload pay; and
- (2) \$200,000 for student aid to program participants, including tuition, fees, supplies, and related costs.

Your Committee received written comments in support of this measure from the University of Hawaii, Healthcare Association of Hawaii, The Queen's Health System, and University of Hawaii Professional Assembly.

Your Committee finds that the certified nurse aide to practical nurse bridge program is designed especially for working certified nurse aides and other health care professionals who want to become licensed practical nurses, and that the financial support provided by this measure will help the University of Hawaii Maui College to meet its goal of expanding the program statewide to accommodate a threefold increase in student enrollment.

Your Committee has amended this measure by:

- (1) Changing the appropriations from \$130,000 and \$200,000 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. 1015, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1015, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 952      Ways and Means on S.B. No. 155**

The purpose and intent of this measure is to augment the services and educational experiences provided by the University of Hawaii.

Specifically, the measure:

- (1) Establishes and appropriates moneys for a network improvement community task force to develop a kindergarten through grade twelve science, technology, engineering, and mathematics teacher education degree at the University of Hawaii; and
- (2) Appropriates moneys to the University of Hawaii Maui College for study abroad programs.

Your Committee received written comments in support of this measure from the University of Hawaii and two individuals.

Your Committee received written comments on this measure from the Department of Education.

Your Committee finds that facilitating the development of a dedicated degree program for science, technology, engineering, and mathematics teachers will help address the State's critical need for teachers in these fields. Your Committee also finds that funding study abroad programs will help enhance students' learning.

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. 155, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 155, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 953      Ways and Means on S.B. No. 1040**

The purpose and intent of this measure is to assist certain beneficiaries under the Hawaiian Homes Commission Act, 1920, as amended, who are homeless or threatened with homelessness.

Specifically, the measure:

- (1) Establishes under the Department of Hawaiian Home Lands the rent-with-option-to-purchase pilot program on the Leeward Coast of Oahu, which shall provide to the foregoing beneficiaries certain housing units and services; and
- (2) Appropriates moneys to establish and administer the pilot program.

Your Committee received written comments in support of this measure from the State Procurement Office; Governor's Coordinator on Homelessness; Environmental Caucus of the Democratic Party of Hawaii; Hydroponics Alternatives, LLC; Malama Makua; and thirteen individuals.

Your Committee received written comments in opposition to this measure from two individuals.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Hawaiian Home Lands, Office of Information Practices, and one individual.

Your Committee finds that Native Hawaiians are affected by homelessness at a higher rate than other ethnicities. Your Committee also finds that a pilot program, as proposed by this measure, can help reduce homelessness among this population.

Your Committee has amended this measure by:

- (1) Deleting an unnecessary reference to chapter 91, Hawaii Revised Statutes;
- (2) Clarifying the circumstance under which the Department of Hawaiian Home Lands shall facilitate the transfer of ownership of a housing unit;
- (3) Providing that the use of the individual or shared micro housing units may be used for affordable housing as may be determined by the Department of Hawaiian Home Lands;
- (4) Redefining the term "threatened with homelessness" to refer to the certain expenses associated with maintaining a residence;
- (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. 1040, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1040, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 954      Ways and Means on S.B. No. 1064**

The purpose and intent of this measure is to facilitate the improvement or removal of deficient dams and appurtenances.

Specifically, the measure:

- (1) Establishes the dam and appurtenance improvement or removal grant program to provide funding to private dam owners for plans, design, construction, and equipment used to improve or remove deficient dams and appurtenances;
- (2) Establishes the dam and appurtenance improvement or removal revolving fund to support the awarding of grants under the foregoing program; and
- (3) Appropriates moneys for certain operating expenses and the establishment of two full-time equivalent (2.0 FTE) positions in the Department of Land and Natural Resources.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources and Hawaii Farm Bureau.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that many privately owned dams and appurtenances are not properly maintained and may be hazardous to public safety. Your Committee also finds that as the costs of improvement or removal are often prohibitive, a grant program to provide funding for these costs, as proposed by this measure, may be appropriate.

Your Committee recognizes that the Department of Land and Natural Resources has requested a one-time seed funding of \$15,000,000 in general funds into the dam and appurtenance improvement or removal revolving fund for use as the initial funding source.

Your Committee finds that the new dam and appurtenance improvement or removal revolving fund may not comply with section 37-52.4, Hawaii Revised Statutes, particularly with respect to the requirement that a revolving fund demonstrate the capacity to be self-sustaining. Your Committee notes that legislative appropriations are the sole source of funding for the revolving fund and, consequently, for the grant program. Accordingly, it appears more appropriate to fund the grant program directly through legislative appropriations rather than through a new revolving fund.

Your Committee has amended this measure by:

- (1) Deleting the establishment of the dam and appurtenance improvement or removal revolving fund;
- (2) Specifying that the two full-time equivalent (2.0 FTE) positions established by the measure are permanent positions; 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. 1064, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1064, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 955      Ways and Means on S.B. No. 1074**

The purpose and intent of this measure is to propose amendments to the Hawaii State Constitution that amend the procedure by which justices and judges are appointed.

Specifically, this measure proposes amendments to Article VI, section 3, of the Hawaii State Constitution to:

- (1) Extend from thirty days to forty-five days certain time periods relating to the appointment and consideration of a justice's or judge's appointment; and
- (2) Amend the Senate confirmation procedures for district court judge nominees to mirror the process used to consent to Supreme Court justice nominees and Intermediate Court of Appeals and circuit court judge nominees.

Your Committee received written comments in support of this measure from the Judiciary.

Your Committee received written comments in opposition to this measure from the Community Alliance on Prisons and one individual.

Your Committee finds that providing more time to consider a justice or judge's appointment will allow for more thoughtful and reasoned deliberation over a nominee's qualifications for judicial office. Your Committee also finds that the current procedure for Senate confirmation of district court judge nominees differs from the procedure used to confirm Supreme Court justice nominees and Intermediate Court of Appeals and circuit court judges. This measure proposes to amend the consent procedures for district court judgeships to be consistent with the procedures used for other state judges and justices.

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. 1074, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1074, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 956      Ways and Means on S.B. No. 1129**

The purpose and intent of this measure is to increase the expediency and efficiency of small purchase procurements.

Specifically, this measure increases the procurement threshold for small purchases from \$25,000 to \$50,000.

Your Committee received written comments in support of this measure from the Department of Transportation, Hawaii State Public Library System, and Subcontractors Association of Hawaii.

Your Committee received written comments in opposition to this measure from the State Procurement Office.

Your Committee finds that the cost of supplies, equipment, construction materials, and services have rapidly increased. Your Committee further finds the adjustment to the procurement threshold for small purchases will help agencies make routine purchases in an efficient and expeditious manner.

Your Committee has amended this measure by:

- (1) Clarifying that small purchase procurements for construction shall be subject to section 103D-302(b), Hawaii Revised Statutes, rather than section 103D-305(b), Hawaii Revised Statutes; 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. 1129, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1129, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 957 Ways and Means on S.B. No. 1478**

The purpose and intent of this measure is to establish, require legislative reports regarding, and appropriate moneys for an offensive cybersecurity program within the Office of Enterprise Technology Services.

Your Committee received written comments in support of this measure from the Judiciary.

Your Committee finds that cyber threats are increasing, and their attacks against government entities are prevalent. Your Committee therefore believes that a specialized program that engages in offensive cybersecurity, as proposed by this measure, will help the State in its efforts to combat these threats.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1478, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 958 Ways and Means on S.B. No. 1400**

The purpose and intent of this measure is to increase the total aggregate value of capital advancement contracts that the Department of Transportation may execute per fiscal year to improve harbors.

More specifically, this measure:

- (1) Increases from \$2,000,000 to \$5,000,000 the contract value of capital advancement contracts to improve harbors that the Department of Transportation may execute without legislative approval;
- (2) Repeals the requirement that, for capital advancement contracts having a contract value of more than \$2,000,000, the Department of Transportation obtain legislative approval in the form of the adoption of a concurrent resolution; and
- (3) Increases the total aggregate value of capital advancement contracts that the Department of Transportation may execute to improve harbors from \$5,000,000 in any calendar year to \$20,000,000 in any fiscal year.

Your Committee received written comments in support of this measure from the Department of Transportation; Hawaii Harbor Users Group; and Matson Navigation Company, Inc.

Your Committee finds that capital advancement contracts have proven to be an effective tool in expediting project completion. Your Committee believes that increasing the current capital advancement contract limits for harbor improvements will allow the Department of Transportation to improve the State's harbors system more efficiently and effectively.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1400, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 959 Ways and Means on S.B. No. 1385**

The purpose and intent of this measure is to amend the wage and hour law by repealing the exclusion from coverage for individuals guaranteed a monthly compensation of \$2,000 or more per month.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations; Rainbow Family 808; We Are One, Inc.; Labor Caucus of the Democratic Party of Hawaii; Stonewall Caucus of the Democratic Party of Hawaii; Education Caucus of the Democratic Party of Hawaii; Imua Alliance; Hawaii Nurses' Association OPEIU Local 50; Hawaii Public Health Institute; Hawaii State AFL-CIO; IATSE 665; Hawaii Alliance for Progressive Action; Save Medicaid Hawaii; and numerous individuals.

Your Committee finds that this measure will strengthen Hawaii's workforce by providing more workers with the protections afforded by the minimum wage rates, overtime rates, and recordkeeping requirements that exist for employers and employees covered under the wage and hour 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. 1385, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 960 Ways and Means on S.B. No. 1022**

The purpose and intent of this measure is to ensure that the composition of the Early Learning Board reflects the diversity of the early care and education field across the State.

Specifically, this measure:

- (1) Amends the composition and qualifications of the Early Learning Board to consist of individuals from each county, instead of from particular entities or types of providers; and
- (2) Establishes general qualifications for the members of the Early Learning Board who are appointed by the Governor.

Your Committee received written comments on this measure from the Early Learning Board.

Your Committee finds that each county of the State has different early childhood education needs. Your Committee further finds that the amendments made by this measure to the composition and qualifications of the Early Learning Board will help to ensure that these diverse needs are addressed.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1022 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 961 Ways and Means on S.B. No. 154**

The purpose and intent of this measure is to reduce hunger in Hawaii's public schools by expanding access to school meal subsidies for students.

More specifically, the measure:

- (1) Requires the Department of Education to develop and implement a school meal subsidy program intended for students whose families are not otherwise eligible for free lunch under the Department's current program, subject to income eligibility participation requirements; and
- (2) Appropriates funds for the school meal subsidy program.

Your Committee received written comments in support of this measure from the Department of Education, Executive Office on Early Learning, Hawaii State Teachers Association, State Council on Developmental Disabilities, Hawaii Public Health Institute, Malama Kaua'i, Democratic Party of Hawaii Education Caucus, Hawaii Children's Action Network Speaks!, Hawaii Alliance for Progressive Action, Hawaii Hunger Action Network, Hawaii Appleseed Center for Law and Economic Justice, and four individuals.

Your Committee finds that, according to the Department of Education, an estimated fifteen thousand children each year from gap groups do not qualify for free or low-cost school lunches, and that the program established by this measure will help to close that gap.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 154, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 962 Ways and Means on S.B. No. 1509**

The purpose and intent of this measure is to ensure the preservation of, and long-term public access to, government records.

More specifically, this measure:

- (1) Establishes additional sources of moneys to be deposited into the state archives preservation and long-term access special fund; and
- (2) Appropriates moneys for the preservation of, and long-term access to, government records.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services; Ukulele Friend, LLC; and four individuals.

Your Committee received written comments on this measure from the University of Hawaii.

Your Committee finds that providing for additional sources of funding for the state archives preservation and long-term access special fund will assist the State Archives in providing more content and serving more public and government stakeholders.

Your Committee has amended this measure by expanding the scope of the state archives preservation and long-term access special fund to include the preservation of, and long-term access to, other materials preserved at the State Archives.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1509, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1509, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 963 Ways and Means on S.B. No. 1476**

The purpose and intent of this measure is to address West Maui's critical need for an acute care facility.

More specifically, the measure:

- (1) Authorizes the Department of Budget and Finance to issue special purpose revenue bonds in an amount not to exceed \$20,000,000 to assist West Maui Hospital Foundation, Inc., in the design and construction of West Maui Hospital and Medical Center, including any necessary infrastructure improvements; and
- (2) Provides that the Department of Budget and Finance shall not issue any special purpose revenue bonds unless the County of Maui serves as guarantor of any debt service on the special purpose revenue bonds.

Your Committee received written comments in support of this measure from the Maui County Council; West Maui Hospital Foundation, Inc.; Maui Hotel and Lodging Association; West Maui Taxpayers Association, Inc.; Maui Chamber of Commerce, 0889019BC, Ltd.; and eleven individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that West Maui needs a hospital facility due to its growing population and rising visitor numbers, and that the hospital and medical center financed by this measure will help to meet the region's emergency medical needs, provide crucial bed capacity, and potentially provide this isolated region with access to specialty and long-term care.

Your Committee has amended this measure by:

- (1) Inserting a provision that explicitly exempts this measure from the requirements of Act 182, Session Laws of Hawaii 2022, which placed a moratorium on the issuance of new private activity bonds within the period after June 30, 2022, and before December 31, 2028, by prohibiting the authorization of special purpose revenue bonds requiring an allocation of the annual state ceiling under section 39B-2, Hawaii Revised Statutes, unless requested by the Governor and approved by the Legislature; and
- (2) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

Your Committee notes that Article VII, section 12, of the Hawaii State Constitution prohibits special purpose revenue bonds from being secured by the issuer. Section 5 of the measure requires the County of Maui to serve as guarantor of any debt service on the special purpose revenue bonds. Consequently, it is unclear if this requirement violates the constitutional prohibition stated in Article VII, section 12, of the Hawaii State Constitution. Your Committee respectfully requests that this issue be considered as the measure moves forward in 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. 1476, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1476, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 964      Ways and Means on S.B. No. 1465**

The purpose and intent of this measure is to improve the expediency and efficiency of professional services procurements.

Specifically, this measure allows agencies to:

- (1) Rank fewer than three persons when procuring professional services when fewer than three qualified persons respond to a solicitation; and
- (2) Request to use alternative procurement procedures when no qualified person responds to a solicitation.

Your Committee received written comments in support of this measure from the Office of the Mayor of the County of Maui and Division of Purchasing of the County of Kauai.

Your Committee received written comments on this measure from the State Procurement Office, AIA Hawaii State Council, and American Council of Engineering Companies of Hawaii.

Your Committee finds that current state law does not allow for an alternative procedure if less than three qualified persons respond to a professional services notice. Your Committee further finds that this measure will provide state agencies with an option to proceed when the requisite number of responses to a procurement solicitation are not received.

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. 1465, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1465, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 965      Ways and Means on S.B. No. 1416**

The purpose and intent of this measure is to encourage legislative review of government studies, audits, and newly established programs.

Specifically, this measure requires:

- (1) A public hearing or informational briefing by the subject matter committee of each legislative chamber on certain audits and studies enacted with an appropriation or adopted by concurrent resolution within one year of the receipt of the study; and
- (2) Reports to the Legislature on newly established programs.

Your Committee received written comments in support of this measure from the Office of the Auditor and one individual.

Your Committee finds that conducting and completing studies requires a significant investment of time and resources by state agencies. Your Committee further finds that reports resulting from these agencies are often not widely reviewed.

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. 1416, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1416, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 966 Ways and Means on S.B. No. 1415**

The purpose and intent of this measure is to increase transparency and accountability for public employees.

Specifically, this measure requires the University of Hawaii to submit annual reports of all university employees who performed work from a location outside of the State during an applicable year.

Your Committee did not receive written comments on this measure.

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. 1415, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1415, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 967 Ways and Means on S.B. No. 1522**

The purpose and intent of this measure is to dissolve the Hawaii Tourism Authority and replace it with an Office of Tourism and Destination Management.

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 Business, Economic Development, and Tourism; Department of Taxation; Hawaii Tourism Authority; Kohala Coast Resort Association; Hawaii Lodging and Tourism Association; and Maui Hotel and Lodging Association.

Your Committee finds that replacing the Hawaii Tourism Authority with a new agency that is subject to different requirements will help to improve the State's management of marketing Hawaii as a tourism destination.

Your Committee has amended this measure by:

- (1) Making the Office of Tourism and Destination Management more independent of the Department of Business, Economic Development, and Tourism;
- (2) Establishing that the Office of Tourism and Destination Management will be headed by an Executive Director rather than an Administrator;
- (3) Redefining "regenerative tourism";
- (4) Amending the responsibilities of the Tourism and Marketing Branch and the Destination Management Branch;
- (5) Establishing the Board of Directors of the Office of Tourism and Destination Management;
- (6) Transferring the rights, powers, duties, employees, contracts, and rules of the Hawaii Tourism Authority to the Office of Tourism and Destination Management, instead of the Department of Business, Economic Development, and Tourism;
- (7) Specifying positions in the Office of Tourism and Destination Management; 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. 1522, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1522, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13; Ayes with Reservations (Inouye, Kanuha). Noes, none. Excused, none.

**SCRep. 968 Ways and Means on S.B. No. 285**

The purpose and intent of this measure is to facilitate upgrades of wastewater systems within the State.

Specifically, the measure:

- (1) Establishes and appropriates moneys to implement a three-year new wastewater system demonstration pilot program within the University of Hawaii; and
- (2) Appropriates moneys for two full-time equivalent (2.0 FTE) positions within the Department of Health's wastewater branch.

Your Committee received written comments in support of this measure from the Department of Health, University of Hawaii, Department of Hawaiian Home Lands, Hawaii Climate Change Mitigation and Adaptation Commission, Environmental Caucus of the Democratic Party of Hawaii, Hawaii Reef and Ocean Coalition, Hawaii REALTORS, Ulupono Initiative, WAI: Wastewater Alternatives and Innovations, and three individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that thousands of cesspools in the State need to be converted to septic or aerobic treatment unit systems, or connected to a central sewerage system. Your Committee recognizes that affordability and technology options are crucial in reaching this goal. Your Committee believes that an innovative pilot program, as proposed by this measure, will lead to the wide implementation of new and cost-effective solutions.

Your Committee has amended this measure by:

- (1) Correcting a reference to the Hawaii State Constitution;
- (2) Inserting language to prevent the lapsing of funds from the appropriation for the pilot program before June 30, 2026;
- (3) Inserting language to ensure that the measure's appropriation from the water pollution control revolving fund will be made, notwithstanding section 342D-83, Hawaii Revised Statutes, or any other law to the contrary;
- (4) Changing the appropriations to unspecified amounts;
- (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. 285, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 285, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 969      Ways and Means on S.B. No. 262**

The purpose and intent of this measure is to appropriate moneys to support and expand physician residency training programs in state teaching hospitals; provided that the funding is matched dollar-for-dollar by private funding sources.

Your Committee received written comments in support of this measure from the Hawaii Primary Care Association and Hawaii Medical Association.

Your Committee received written comments on this measure from the University of Hawaii.

Your Committee finds that the medical residency programs supported by this measure will help address the State's critical physician workforce shortage and help ensure an adequate physician workforce to deliver statewide medical care, including care to underserved areas on neighbor islands.

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. 262, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 262, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 970      Ways and Means on S.B. No. 193**

The purpose and intent of this measure is to broaden the expertise of the State Fire Council.

More specifically, the measure adds to the membership of the State Fire Council, and to the membership of advisory committees that the Council may appoint, representatives from the Hawaii State Aircraft Rescue Fire Fighting Unit and the Division of Forestry and Wildlife of the Department of Land and Natural Resources.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, State Fire Council, and Honolulu Fire Department.

Your Committee finds that this measure's addition of members to the State Fire Council ensures that the Council's membership appropriately reflects all non-federal firefighting agencies in the State.

Your Committee has amended this measure by:

- (1) Clarifying in the measure's preamble that the State Fire Council is required, rather than authorized, to establish statewide qualifications for testing, certifying, and credentialing individuals who maintain and test fire safety equipment and systems; 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. 193, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 193, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 971 Ways and Means on S.B. No. 1598**

The purpose and intent of this measure is to help ensure water safety and quality in the County of Maui.

Specifically, this measure appropriates moneys to support water testing at the University of Hawaii Maui College.

Your Committee received written comments in support of this measure from the University of Hawaii.

Your Committee finds that there is currently only one water quality testing laboratory on the island of Maui, which is operated by the County of Maui and only serves the County of Maui's agencies. Other water quality testing samples must be sent to the island of Oahu and take up to twelve weeks to be returned. Your Committee further finds that the appropriation made by this measure will allow for faster water quality test results for Maui residents and communities.

Your Committee has amended this measure by:

- (1) Inserting a legislative finding that identifies water quality testing as a matter of statewide concern;
- (2) Clarifying the purpose of the appropriation;
- (3) Changing the amount of the appropriation from \$215,000 to an unspecified sum; and
- (4) 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. 1598, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1598, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 972 Ways and Means on S.B. No. 1594**

The purpose and intent of this measure is to establish and appropriate moneys for a crisis intervention and diversion program within the Department of Health to divert persons in crisis from the criminal justice system to the appropriate health care system and services.

Your Committee received written comments in support of this measure from the Judiciary, Department of Health, Hawaii Substance Abuse Coalition, and three individuals.

Your Committee received written comments on this measure from the Honolulu Police Department.

Your Committee finds that establishing a crisis intervention and diversion program will help ensure that persons having mental illnesses or co-occurring mental illnesses and substance use disorders receive treatment for their conditions. This treatment can reduce or eliminate the person's reoccurring involvement with the criminal justice system.

Your Committee has amended this measure by:

- (1) Deleting the definition of "crisis center," and making other clarifying amendments, as recommended in written comments from the Department of Health;
- (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. 1594, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1594, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 973 Ways and Means on S.B. No. 1592**

The purpose and intent of this measure is to better protect the State's seniors by combating fraudulent activities that target or exploit kupuna.

More specifically, the measure appropriates funds to the Executive Office on Aging for three additional staff positions within the State's Senior Medicare Patrol Program.

Your Committee received written comments in support of this measure from the Executive Office on Aging, Policy Advisory Board for Elder Affairs, AARP Hawaii, Kupuna Caucus of the Democratic Party of Hawaii, Hawaii Family Caregiver Coalition, and one individual.

Your Committee received written comments on this measure from one individual.



Your Committee finds that the additional staff positions funded by this measure will enable the Senior Medicare Patrol Program to more effectively meet the rising demand for assistance resulting from increasing reports of fraud, medical billing errors, and abuse.

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. 1592, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1592, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 974 Ways and Means on S.B. No. 1543**

The purpose and intent of this measure is to facilitate the public funding of candidate campaigns for elected office.

Specifically, the measure:

- (1) Establishes a comprehensive system of public financing for all candidates seeking election to state and county public offices, beginning with the 2024 general election year;
- (2) Requires the Campaign Spending Commission to submit to the Legislature two reports to facilitate the implementation of the measure; and
- (3) Appropriates moneys into and out of the Hawaii election campaign fund.

Your Committee received written comments in support of this measure from the Commission to Improve Standards of Conduct, a member of the Hawaii County Council, Common Cause Hawaii, Kauai Women's Caucus, the Friends of Makakilo, Kauhako Ohana Association, Hawaii Alliance for Progressive Action, Chamber Of Sustainable Commerce, Sierra Club of Hawaii, 350Hawaii, Democratic Party of Hawaii Education Caucus, Imua Alliance, League of Women Voters of Hawaii, Pono Hawaii Initiative, Our Revolution Hawaii, Global HOPE, LGF Consulting Hawaii, Hawaii Workers Center, HOPE Services Hawaii, Kihei Community Association, Hui Aloha Aina Women's Patriotic League, Free Access Coalition, Huli PAC, 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 Campaign Spending Commission, Our Hawaii, and Clean the Pacific.

Your Committee recognizes that the current campaign finance system is widely perceived to be favorable to wealthy donors who use campaign donations to unduly influence candidates and elected officials. Your Committee finds that a comprehensive system of public financing, as proposed by this measure, may help increase public confidence in the integrity of candidates and public office holders.

Your Committee has amended this measure by:

- (1) Postponing the commencement of the comprehensive system of public financing until the 2026 general election year;
- (2) For candidates for the Board of Trustees for the Office of Hawaiian Affairs:
  - (A) Increasing from fifty to one hundred the number of qualifying contributions;
  - (B) Increasing from \$20,000 to \$40,000 the amount of comprehensive public funds distributed to each qualifying candidate for each election cycle;
  - (C) Changing from \$13,400 to an unspecified sum the amount of comprehensive public funds distributed to each qualifying candidate for a primary election; and
  - (D) Changing from \$6,600 to an unspecified sum the amount of comprehensive public funds distributed to each qualifying candidate for a general election;
- (3) For candidates for the Office of Prosecuting Attorney of a county with a population of not less than one hundred fifty thousand but not more than 194,999:
  - (A) Establishing an unspecified number of qualifying contributions; and
  - (B) Establishing unspecified sums for the comprehensive public funds distributed to each qualifying candidate for each election cycle;
- (4) Providing that if a certified candidate is successful in the general election, the certified candidate shall return to the Hawaii election campaign fund all unexpended public funds within thirty days after the general election;
- (5) Postponing by two years the submission dates of the Campaign Spending Commission's two reports to the Legislature;
- (6) Changing the appropriations to unspecified amounts 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. 1543, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1543, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 975 Ways and Means on S.B. No. 1531**

The purpose and intent of this measure is to facilitate consideration of new treatments for certain mental health conditions.

Specifically, the measure establishes within the Department of Health, for administrative purposes only, the Beneficial Treatments Advisory Council, which shall:

- (1) Examine laws and information relating to mental health conditions and treatment;
- (2) Develop a strategic plan to ensure the availability of certain medications; and
- (3) Advise the Department on new and revised mental health treatment options.

Your Committee received written comments in support of this measure from the Office of Wellness and Resilience, Clarity Project, Aloha Integrative Mental Health, Kupuna Caucus of the Democratic Party of Hawaii, Hawaii Psychological Association, Malama Mushrooms, Beyond Mental Health, Honolulu Psychotherapy, and thirty individuals.

Your Committee received written comments on this measure from the Department of Health and one individual.

Your Committee recognizes that recent research on the use of alternative therapies to treat mental health disorders has shown promising outcomes. Your Committee finds that establishment of the Beneficial Treatments Advisory Council, as proposed by this measure, can provide an ongoing venue for a continuous review of current and future therapies.

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

Your Committee notes that the Department of Health has requested further amendments to this measure, to authorize the Department to convene a temporary working group whenever the United States Food and Drug Administration makes a breakthrough therapy designation for any treatment intended for mental health and substance abuse.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1531, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1531, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 976 Ways and Means on S.B. No. 1518**

The purpose and intent of this measure is to increase the expediency and efficiency of small purchase procurements.

Specifically, this measure provides certain procurement exemptions for the Department of Education for the procurement of certain goods, services, and construction.

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 the State Procurement Office.

Your Committee finds that the exemptions granted to the Department of Education under this measure will provide the Department flexibility to procure educational materials in a more timely and less cumbersome manner. Your Committee further finds that this measure will allow the Department of Education to focus on innovating and engaging students through the use of technology as the education landscape rapidly evolves.

Your Committee has amended this measure by:

- (1) For clarity, integrating uncodified provisions in section 5 of the measure into the new Hawaii Revised Statutes sections created by sections 2 and 3 of the measure;
- (2) Clarifying that, upon the measure's repeal on June 30, 2026, section 103D-102, Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day before the effective date 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 S.B. No. 1518, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1518, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 977 Ways and Means on S.B. No. 57**

The purpose and intent of this measure is to support the broader use of Hawaiian as one of the State's two official languages.

More specifically, the measure appropriates \$300,000 to the Judiciary to support its 'Ōlelo Hawai'i projects.

Your Committee received written comments in support of this measure from the Judiciary and Office of Hawaiian Affairs.

Your Committee received written comments in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee finds that the Judiciary has begun to implement its 'Ōlelo Hawai'i program, which includes court interpretation, website translation, archival legal language research, and other services and resources for the public, and that this measure's appropriation will allow for the continuation and expansion of these important initiatives.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$300,000 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. 57, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 57, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 978      Ways and Means on S.B. No. 261**

The purpose and intent of this measure is to require the Department of Hawaiian Home Lands to provide to beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, a monthly accountability report that includes an accounting of certain expenditures relating to leases and fiscal matters.

Your Committee received written comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that transparency and accountability in the Department of Hawaiian Home Lands, which has certain trust responsibilities toward Native Hawaiian beneficiaries, are crucial for the fulfillment of those responsibilities. Your Committee also finds that the monthly accountability reports proposed by this measure may enhance transparency and accountability with regard to the Department's fiscal matters.

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. 261, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 261, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 979      Ways and Means on S.B. No. 832**

The purpose and intent of this measure is to facilitate the redevelopment of Hawaii's public schools.

Specifically, this measure:

- (1) Authorizes the School Facilities Authority to:
  - (A) Acquire real property from a county;
  - (B) Adopt administrative rules that supersede all other inconsistent ordinances and rules relating to the zoning of land and construction;
  - (C) Engage in commercial enterprise activities; and
  - (D) Manage the leasing and property management of housing projects;
- (2) Exempts the School Facilities Authority from county assessments and state taxes;
- (3) Authorizes state and county agencies to render services to the School Facilities Authority upon request of the Authority; and
- (4) Establishes a deadline for the transfer of properties from the City and County of Honolulu to the Department of Education pursuant to Act 206, Session Laws of Hawaii 2017, as amended by Act 272, Session Laws of Hawaii 2019.

Your Committee received written comments in support of this measure from the School Facilities Authority.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Budget and Finance, and Department of Land Management of the City and County of Honolulu.

Your Committee finds that authorizing the Authority to work with other state and county agencies and establishing a deadline for previously required land transfers will assist the Authority in effectuating its charge to redevelop the State's public schools into twenty-first century institutions.

Your Committee has amended this measure by:

- (1) Correcting the text of section 2 of Act 206, Session Laws of Hawaii 2017, as amended by section 4 of Act 272, Session Laws of Hawaii 2019, for consistency with the printed version of the Session Laws of Hawaii;

- (2) Correcting the name of Kahuku High and Intermediate School; 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. 832, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 832, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 980      Ways and Means on S.B. No. 1258**

The purpose and intent of this measure is to require that the Department of Land and Natural Resources develop and implement a management system for the Kaena Point State Park, Makua, and Keawaula regions, subject to certain conditions.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; Hawaii State Aha Moku; Hawaii Iron Workers Stabilization Fund; Hydroponics Alternatives, LLC; Protectors of Paradise; and two individuals.

Your Committee finds that requiring the Department of Land and Natural Resources to develop and implement an improved management system for the Kaena Point State Park, Makua, and Keawaula regions will help to ensure that these areas are protected and made safer for current and future generations.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Land and Natural Resources is required to, among other things:
  - (A) Develop and implement an improved management system for the Kaena Point State Park, Makua, and Keawaula regions;
  - (B) Work with all parties having jurisdiction over the land and marine areas encompassed in the improved management system; and
  - (C) Determine whether proper measures have been employed to address and resolve certain issues;
- (2) Clarifying the areas to which the Department of Land and Natural Resources is required to limit access; 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. 1258, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1258, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 981      Ways and Means on S.B. No. 1351**

The purpose and intent of this measure is to provide for the delivery of mental health services to certain children and infants.

More specifically, this measure:

- (1) Establishes the infant and early childhood mental health program to provide and support mental health services for children from birth to five years of age;
- (2) Requires the program to develop and implement strategies for the delivery of mental health services and workforce training and promote a better understanding of the needs of infants and young children, the importance of positive early relationships, and benefits of trauma-informed care; and
- (3) Appropriate moneys to the Department of Health for the establishment and operation of the program and the establishment of one permanent full-time equivalent (1.0 FTE) position.

Your Committee received written comments in support of this measure from the Department of Health; Early Learning Board; Executive Office on Early Learning; Office of the Governor; Office of Wellness and Resilience; Commit to Keiki; Early Childhood Action Strategy; Hawaii Association for Infant Mental Health; Hawaii Children's Action Network Speaks!; Hawaii Community Foundation; Hawaii Family Support Institute; Parents And Children Together; Rainbow School, Inc.; Samuel N. and Mary Castle Foundation; and three individuals.

Your Committee received written comments on this measure from the Judiciary.

Your Committee finds that supporting the emotional and social development of children in the State will help to increase parenting and child development knowledge and strengthen each affected family's ability to observe and respond to their child's needs.

Your Committee has amended this measure by:

- (1) Changing the appropriations of \$800,000 and \$1,700,000, respectively, to unspecified amounts;
- (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. 1351, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1351, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 982      Ways and Means on S.B. No. 1527**

The purpose and intent of this measure is to ensure the safety of victims of domestic abuse, sexual offenses, or stalking.

More specifically, the measure:

- (1) Replaces the Office of the Lieutenant Governor with the Department of Law Enforcement as the governmental entity responsible for administering the Address Confidentiality Program for victims of domestic abuse, sexual offenses, or stalking, beginning January 1, 2024;
- (2) Establishes the Address Confidentiality Program Governance Committee within the Department of Law Enforcement; and
- (3) Appropriates unspecified funds for operating costs, equipment, and an unspecified number of full-time equivalent positions to support the Department of Law Enforcement in administering the Address Confidentiality Program.

Your Committee received written comments in support of this measure from the Office of the Lieutenant Governor.

Your Committee received written comments on this measure from the Department of Law Enforcement.

Your Committee finds that the open and accessible nature of the Lieutenant Governor's office and State Capitol building creates safety concerns, and it would thus be more appropriate to house the Address Confidentiality Program within the Department of Law Enforcement, where offenders would be deterred from visiting.

Your Committee notes the written comments of the Department of Law Enforcement indicating that an appropriation of \$280,000, including funding for two full-time equivalent positions, should be sufficient for fiscal years 2023-2024 and 2024-2025.

Your Committee has amended this measure by:

- (1) Deleting Section 1 of the measure, which would have established an Address Confidentiality Program Governance Committee within the Department of Law Enforcement;
- (2) Allowing the Department of Law Enforcement to contract with a third party for program services involving mail forwarding and acceptance of service of legal process;
- (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. 1527, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1527, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 983      Ways and Means on S.B. No. 1078**

The purpose and intent of this measure is to streamline and modernize the issuance and processing of traffic citations.

More specifically, the measure:

- (1) Establishes a statewide electronic citation program within the Judiciary and requires the Judiciary to adopt procedures to implement the program;
- (2) Appropriates unspecified sums to the Judiciary for the establishment, implementation, operation, oversight, and repair and maintenance of a statewide electronic citation program;
- (3) Appropriates \$51,024 to the Judiciary for the establishment of one permanent full-time equivalent accountant position; and
- (4) Appropriates unspecified sums to the police departments of the Counties of Maui, Hawaii, Kauai, and the City and County of Honolulu as grants-in-aid for the establishment, implementation, operation, oversight, and repair and maintenance of a statewide electronic citation program.

Your Committee received written comments in support of this measure from the Department of Transportation, County of Hawaii Police Department, and one individual.

Your Committee received written comments on this measure from the Judiciary.

Your Committee finds that the statewide electronic citation program established by this measure will provide numerous benefits to law enforcement agencies, the Judiciary, and the general public, including improved efficiency and accuracy in the issuance of traffic citations and in related data entry and record management processes. Your Committee further finds that the resulting streamlined processes will allow law enforcement agencies to direct more resources toward other important matters, such as responding to community concerns.

Your Committee notes the written comments of the Judiciary indicating that:

- (1) An estimated \$370,000 is needed for the one-time cost of fully integrating electronic citations within the Judiciary Information Management System;
- (2) An estimated \$25,000 is needed annually for the recurring cost for licenses of FileNet, the Judiciary's document management system, to enable staff of the Traffic Violations Bureau to verify that documents received from county police departments are properly uploaded to the Judiciary's system; and
- (3) \$68,556 is needed to fund one permanent project specialist position, in lieu of the accountant position established in Section 8 of the measure.

Your Committee has amended this measure by:

- (1) Changing the title of the permanent full-time equivalent position established within the Judiciary in Section 8 of the measure from "accountant" to "project specialist" and changing the amount appropriated for the new position from \$51,024 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. 1078, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1078, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 984      Ways and Means on S.B. No. 1082**

The purpose and intent of this measure is to provide for the modernization of paid public parking.

More specifically, this measure:

- (1) Requires that, beginning January 1, 2025:
  - (A) All parking lots in the State containing paid public parking spaces accept payment by credit card or debit card; and
  - (B) All parking meters be maintained in working order to accept payment by credit card or debit card; and
- (2) Requires the Department of Accounting and General Services and each county to submit an annual progress report to the Legislature.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services and Department of Transportation Services of the City and County of Honolulu.

Your Committee finds that the decreased use of cash and coins throughout the State necessitates the implementation of public parking systems that accept credit cards and debit cards.

Your Committee has amended this measure by:

- (1) Clarifying the contents of the required annual reports to the Legislature;
- (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. 1082, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1082, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 985      Ways and Means on S.B. No. 1091**

The purpose and intent of this measure is to facilitate the repair and maintenance of roads in the State.

More specifically, this measure authorizes certain counties to use county surcharge on state tax revenues and fuel tax revenues for the repair and maintenance of private roadways that are open to and used by the public.

Your Committee received written comments in support of this measure from a member of the Hawaii County Council, Friends of Puna's Future, and five individuals.

Your Committee received written comments on this measure from the Department of the Attorney General and Tax Foundation of Hawaii.

Your Committee finds that, in certain areas of the State, private subdivisions struggle to adequately fund road maintenance, due to current constraints on counties that prevent the expenditure of public funds on private roads. Your Committee also finds that, in these areas, many private roads serve as important routes for first responders, public transportation, and emergency services. Your

Committee further finds that the lack of maintenance on these roads creates a public safety hazard, not only for the residents of these areas, but for everyone who relies on those roads.

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. 1091, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1091, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 986      Ways and Means on S.B. No. 1099**

The purpose and intent of this measure is to amend the county surcharge on state tax.

More specifically, this measure:

- (1) Extends the period in which a county may adopt a surcharge on state tax, under certain conditions;
- (2) Authorizes the use of county surcharge revenues for affordable and workforce housing infrastructure in counties having a population of five hundred thousand or less; and
- (3) Authorizes, in all counties that adopt or have adopted a surcharge on state tax, the use of county surcharge revenues for housing infrastructure, including roadways, water, and sewer.

Your Committee received written comments in support of this measure from the Office of the Mayor of the County of Maui, two members of the Maui County Council, Maui Hotel and Lodging Association, and Maui Chamber of Commerce.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that this measure supports the development of affordable and workforce housing, which will allow skilled employees to remain in the State instead of leaving due to a lack of affordable housing options.

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. 1099, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1099, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 987      (Joint) Judiciary and Ways and Means on S.B. No. 44**

The purpose and intent of this measure is to:

- (1) Create a minimum penalty of \$50 for every violation of the State Water Code;
- (2) Raise the maximum penalty to \$25,000 for every violation of the State Water Code;
- (3) Clarify that each day that a violation exists or continues is a separate offense; and
- (4) Require the Commission on Water Resource Management (Commission) to determine the amount of the penalty based on the circumstances of the violation.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committees find that this measure will support the Commission in its affirmative duty to protect, control, and regulate the use of Hawaii's water resources in accordance with article XI, section 7, of the Hawaii State Constitution. According to testimony received by your Committees, many violations of the State Water Code go unchecked due to the limited number of Commission staff. Your Committees further find that none of the staff at the Commission are dedicated solely to investigating and correcting violations of the State Water Code.

Accordingly, your Committees have amended this measure by:

- (1) Inserting a blank appropriation amount to the Department of Land and Natural Resources for two full-time equivalent (2.0 FTE) general professional positions within the Commission to ensure compliance and enforce the State Water Code;
- (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 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. 44, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 44, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 13. Noes, none. Excused, none.

**SCRep. 988 (Joint) Judiciary and Ways and Means on S.B. No. 507**

The purpose and intent of this measure is to:

- (1) Add definitions for “floodway”, “natural stormwater infrastructure”, and “wetlands” to section 343-2, Hawaii Revised Statutes;
- (2) Require a proposed housing project of the Hawaii Housing Finance and Development Corporation that is exempt from all statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, and construction standards to ensure that the proposed project does not impact wetlands or natural stormwater infrastructure; and
- (3) Require an environmental assessment for actions under the environmental impact statements law that propose any development that would impact wetlands or natural stormwater infrastructure.

Your Committees received testimony in support of this measure from The Nature Conservancy, Wild Kids, and three individuals. Your Committees received testimony in opposition to this measure from the Office of the Governor and Hawai‘i YIMBY. Your Committees received comments on this measure from the Department of Health, Hawaii Housing Finance and Development Corporation, Office of Planning and Sustainable Development, State Environmental Advisory Council, and Grassroot Institute of Hawaii.

Your Committees find that wetlands are some of the most productive and biodiverse habitats on the planet. Wetlands protect beaches against erosion, recharge aquifers, provide flood alleviation, support endangered species, and sequester carbon. Your Committees further find that the destruction of wetlands and waterways is a major concern because development in these areas leads to excessive flooding and inhibits the natural processes that filter sediments and nutrients from stormwater runoff before reaching coral reefs. This measure will establish an ahupuaa-based protection of wetlands and watersheds, and protect natural stormwater infrastructure.

Your Committees have amended this measure by:

- (1) Specifying that the definition of “wetlands” does not apply for the purposes of chapter 342D, Hawaii Revised Statutes;
- (2) Specifying that the development of exempt proposed housing projects shall not have a significant adverse impact on wetlands or natural stormwater infrastructure as defined in section 343-2, Hawaii Revised Statutes;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of March 22, 2075, to encourage further discussion; 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 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. 507, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 507, S.D. 1.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 13; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 989 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 1384**

The purpose and intent of this measure is to:

- (1) Amend chapter 202, Hawaii Revised Statutes, to be consistent with the General Appropriations Act of 2021, Act 88, Session Laws of Hawaii 2021;
- (2) Rename “Hawaii Workforce Development Council” to “Hawaii Workforce Development Board”;
- (3) Require the Hawaii Workforce Development Board and local workforce development boards to develop written conflict of interest policies consistent with federal law and regulations;
- (4) Require the Governor to select the chairperson of the Hawaii Workforce Development Board from among the seventeen private sector members;
- (5) Require the Hawaii Workforce Development Board to assist the Governor in the coordinating of local workforce development boards to improve and develop a statewide workforce development system; and
- (6) Repeal the requirement for the Department of Labor and Industrial Relations to submit an annual report to the Legislature on the activities of the K-12 Agriculture Workforce Development Pipeline Initiative.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that nationwide state workforce development boards assist governors by reviewing statewide policies and programs, and making recommendations to align workforce, education, training, and employment funding programs in a state in a manner that supports a comprehensive and streamlined workforce development system in the state. As part of the statewide review function in assisting the governors, the federal Workforce Innovation and Opportunity Act and related regulations outline requirements



regarding conflicts of interest for recipients and subrecipients of federal awards as well as for state and local workforce development board and standing committee members. This measure will amend the Hawaii Workforce Development Council law to be consistent with the state budget as enacted in Act 88, Session Laws of Hawaii 2021, and to conform the State Workforce Development Board statute to the nomenclature and conflict of interest provisions found in the Workforce Innovation and Opportunity Act and related regulations in the Code of Federal Regulations.

Your Committees have amended this measure by:

- (1) Clarifying that there is established the Hawaii Workforce Development Board that shall be placed within the Department of Labor and Industrial Relations for administrative purposes; 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. 1384, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1384, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

Ways and Means: Ayes, 13; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 990 (Majority) Judiciary on S.B. No. 151**

The purpose and intent of this measure is to:

- (1) Require any department or agency employing a law enforcement officer to maintain a publicly available policy that provides a minimum standard on the use of force;
- (2) Allow use of force policies and training to be considered in legal proceedings involving a law enforcement officer's use of force;
- (3) Require a law enforcement officer who observes the use of excessive force by another law enforcement officer to report the use of excessive force; and
- (4) Require that law enforcement officers receive training designed to minimize the use of force.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Kauai 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 the Attorney General.

Your Committee finds that ensuring that force used by officers in the performance of duties is proper, lawful, and necessary is crucial to provide for public safety and maintain the trust of the public. To that end, providing increased training and enacting policy and procedures regarding lawful use of force is necessary. This measure strengthens the laws that regulate police conduct in order to minimize the use of force.

Your Committee has amended this measure by:

- (1) Specifying that the division head shall complete an investigation and notify the chief of police of the respective county or the state department deputy director, as applicable, of the outcome of the investigation in writing;
- (2) Specifying that the chief of police or the state department deputy director who received the written notification shall notify the police commission of the respective county or the state department director, as applicable, of the outcome of the investigation in writing;
- (3) Specifying that if the department head is the subject of the use of force report, the reporting officer shall report directly to the police commission of the respective county or the state department director, as applicable, within seven days of observing the use of force, and the police commission or the state department director shall complete an investigation;
- (4) Deleting language that would have required that the investigation of the department head be completed within fifteen days;
- (5) Clarifying that any police commission or state department director who receives a report of use of force shall begin conducting an investigation as soon as practicable and reach a timely determination on the merits; and
- (6) Adding definitions for "department head" and "division head".

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 151, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 151, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 991 Ways and Means on S.B. No. 1101**

The purpose and intent of this measure is to conform statutes relating to state debt limit statements to include tax increment bonds if a constitutional amendment authorizing the use of tax increment bonds, and excluding tax increment bonds from determination of the counties' funded debt, is ratified.

Your Committee received testimony in support of this measure from the Department of Transportation and Office of Planning and Sustainable Development.

Your Committee received written comments on this measure from the Department of the Attorney General and Tax Foundation of Hawaii.

Your Committee finds that tax increment financing allows a portion of property taxes in excess of a base assessed value to be dedicated to finance the costs of a project through the issuance of bonds.

Your Committee has amended this measure by:

- (1) Deleting provisions of the bill amending state debt limit statement laws;
- (2) Inserting provisions that amend Chapter 47C, Hawaii Revised Statutes, relating to the indebtedness of the counties, to allow counties to exclude tax increment bonds from the debt limit of the counties; 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. 1101, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1101, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 992      Ways and Means on S.B. No. 1139**

The purpose and intent of this measure is to require rental housing projects to maintain, in perpetuity, fifty percent of the project's units for certain low-income tenants in order to be eligible for the Hawaii Housing Finance and Development Corporation's rental assistance program.

Your Committee received written comments in opposition to this measure from the Hawaii Housing Finance and Development Corporation; Affordable Housing Connections, LLC; and the Hawaii chapter of NAIOP.

Your Committee finds that the requirements established by this measure will help the State create and maintain an inventory of affordable rental units for persons who are receiving, or are eligible to receive, rental assistance.

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. 1139, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1139, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 993      Ways and Means on S.B. No. 1141**

The purpose and intent of this measure is to facilitate the administration of workers' compensation matters for the Hawaii State Public Library System.

Specifically, the measure:

- (1) Transfers to the Department of Human Resources Development all rights, powers, functions, duties, and resources of the Department of Education relating to workers compensation for the Hawaii State Public Library System and its employees; and
- (2) Appropriates moneys to the Department of Human Resources Development for the administration and costs of workers compensation for the Hawaii State Public Library System.

Your Committee received written comments in support of this measure from the Hawaii State Public Library System.

Your Committee finds that since 2012, the Department of Human Resources Development has managed and administered the workers' compensation claims of the public library employees through memoranda of agreement, but the Department of Human Resources Development has not received any additional staff or funding from the Department of Education for these administrative responsibilities. Your Committee finds that the official transfer of duties and related appropriations, as proposed by this measure, will help the Department of Human Resources Development more effectively fulfill these responsibilities.

Your Committee recognizes that the Hawaii State Public Library System has requested that, if its budget for workers' compensation claims and payments is transferred to the Department of Human Resources Development, approximately \$50,000 remain with the System to address workers' compensation claims for employees that are currently processed through the State payroll system.

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. 1141, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1141, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 994 Ways and Means on S.B. No. 1153**

The purpose and intent of this measure is to provide for the conservation of Honolua Bay.

More specifically, this measure:

- (1) Establishes the Honolua Bay Advisory Board to administer the Honolua Bay special fund and oversee the conservation of Honolua Bay;
- (2) Establishes the Honolua Bay special fund;
- (3) Requires the Department of Land and Natural Resources to include and incorporate Honolua Bay into the Division of State Parks' online reservation system;
- (4) Exempts the Honolua Bay special fund from departmental administrative expense requirements; and
- (5) Appropriates moneys to the Department of Land and Natural Resources.

Your Committee received written comments in support of this measure from Hawaii State Aha Moku and one individual.

Your Committee received written comments in opposition to this measure from the Department of Land and Natural Resources; Crystal Seahorse, Ltd.; Kapalua Kai Sailing, Inc.; and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that that establishing an advisory board to oversee the conservation of Honolua Bay will help to appropriately safeguard the bay.

Your Committee has amended this measure by:

- (1) Clarifying the membership of the Honolua Bay Advisory Board;
- (2) Clarifying the appointing authority for certain members of the advisory board;
- (3) Requiring the Department of Land and Natural Resources to create, maintain, and operate an online reservation system to limit public access to Honolua Bay or include or incorporate Honolua Bay into the Division of State Parks' online reservation system;
- (4) Clarifying that the advisory board is required to establish a permit structure for Honolua Bay that is modeled after the permit structure used for Waianapanapa State Park; 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. 1153, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1153, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 995 Ways and Means on S.B. No. 1158**

The purpose and intent of this measure is to provide police officers who become members of the Employees' Retirement System after June 30, 2023, with retirement benefits similar to those provided for members of the Employees' Retirement System who became members before July 1, 2012.

Your Committee received written comments in support of this measure from the Maui Police Department and one individual.

Your Committee received written comments in opposition to this measure from the Department of Budget and Finance and Employees' Retirement System.

Your Committee received written comments on this measure from the State of Hawaii Organization of Police Officers and Grassroot Institute of Hawaii.

Your Committee finds that county police departments currently face officer shortages. Your Committee believes that the prospect of enhanced retirement benefits, as proposed by this measure, may incentivize qualified individuals to apply for and fill these vacancies.

Your Committee recognizes that the Department of Budget and Finance expressed concerns that the measure will significantly increase annual fringe benefit costs for public employers in the future and set a precedent for other employee groups to request the same benefit amendment. The Department further commented that the measure represents a setback to efforts to address the State's unfunded actuarial accrued liabilities, which, combined with the increased annual fixed cost requirements burdening the State's budget, will negatively impact the State's credit ratings.

Your Committee also recognizes that the Employees' Retirement System raised concerns similar to those of the Department of Budget and Finance. The System also opined that the measure violates section 88-99, Hawaii Revised Statutes, which imposes a moratorium on enhanced benefits until the the actuarial value of the system's assets is one hundred percent of the system's actuarial accrued liability. The System further commented that the measure will provide new officers with better benefits than members hired between July 1, 2012, and the measure's effective date.

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. 1158, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1158, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 996 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 77**

The purpose and intent of this measure is to:

- (1) Before the transfer of non-agricultural park lands, authorize the Department of Agriculture to request information from the Department of Land and Natural Resources related to the establishment of necessary and reasonable easements upon the lands;
- (2) Amend legislative findings regarding non-agricultural park lands;
- (3) Delete the requirements that the Board of Land and Natural Resources approve and that it and the Board of Agriculture mutually agree in order to transfer non-agricultural park lands;
- (4) Require the Department of Agriculture to accept the transfer of and manage certain qualifying non-agricultural park lands;
- (5) Require 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;
- (6) Continue to require the lessee to maintain a conservation plan; and
- (7) Require approval from the Board of Land and Natural Resources and the Board of Agriculture before removing pasture lands for reforestation, or other public purposes.

Your Committees received testimony in support of this measure from the Hawaii Cattlemen's Council, Inc.; Larry Jeffs Farms LLC; Ponoholo Ranch Limited; Kealia Ranch; Local Food Coalition; Hawaii Fish Company Inc.; Ulupono Initiative; Hawai'i Farm Bureau; Land Use Research Foundation of Hawaii; Kapāpala Ranch; McCandless Ranch; Hawaii Sustainable Beef Enterprises; and thirteen individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources, Hawai'i Climate Change Mitigation and Adaptation Commission, Hawaii's Thousand Friends, The Nature Conservancy, Sierra Club of Hawai'i, Conservation Council for Hawai'i, Ahahui Malama I Ka Lokahi, Environmental Caucus of the Democratic Party of Hawai'i, HECA Carbon Sequestration Task Force, and seven individuals. Your Committees received comments on this measure from the Department of Agriculture and Office of Hawaiian Affairs.

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. While parcels totaling approximately forty thousand acres have been transferred since 2003, many others have not been transferred. This measure will further facilitate land transfers.

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. 77, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.  
Ways and Means: Ayes, 10. Noes, none. Excused, 3 (Lee, Moriwaki, Fevella).

**SCRep. 997 Judiciary on S.B. No. 89**

The purpose and intent of this measure is to require the Department of Land and Natural Resources to comply with the rulemaking process of chapter 91, Hawaii Revised Statutes (HRS), when designating marine management areas.

Your Committee received testimony in support of this measure from the Ocean Tourism Coalition and five individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that section 188-53, HRS, does not expressly require the Department of Land and Natural Resources to comply with the rulemaking requirements of chapter 91, HRS, when designating fishery management areas. Your Committee believes that, although the Department of Land and Natural Resources has historically complied with chapter 91, HRS, when designating fishery management areas, it is important to specifically require that the Department continues to comply with these rulemaking processes to ensure that the designation process is transparent and fair. This measure will assure stakeholders that designated marine management areas are based on the best available science and are consistent with state and federal 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. 89, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 998 Judiciary on S.B. No. 313**

The purpose and intent of this measure is to:

- (1) Reduce the number of members on the State Rehabilitation Council (Council) from twenty-one to fifteen; and
- (2) Authorize the Council to establish quorum and conduct business without regard to vacancies.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Health, State Rehabilitation Council, and Hawaii Disability Rights Center.

Your Committee finds that this measure aligns the State's statute regarding the membership size, determination of quorum, and term limits of the Council with federal requirements. This measure not only ensures that the Council can fulfill its duties and responsibilities, but also that the State retains federal funding for vocational rehabilitation services.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 313 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 999      Ways and Means on S.B. No. 1136**

The purpose and intent of this measure is to require the Department of Land and Natural Resources to conduct a carrying capacity study of Makena State Park, located in the County of Maui.

Your Committee received written comments in support of this measure from the Office of the Mayor of the County of Maui; Sierra Club Maui; Maui Tomorrow Foundation, Inc.; and one individual.

Your Committee received written comments in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that access to Makena State Park has been a continuing concern for Maui residents due to increasing visitor use of the parking lot and grounds. Your Committee further finds that this measure will help to determine the appropriate levels of use of the park with consideration of the natural and cultural resources of the area.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1136, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1000      Ways and Means on S.B. No. 696**

The purpose and intent of this measure is to clarify the computation of wages of certain employees for the purpose of determining workers' compensation benefits.

More specifically, this measure:

- (1) Permits, rather than prohibits, the consideration of wages of other employees in comparable employment in computing the average weekly wages of an injured public board member, reserve police officer, police chaplain, sheriffs' chaplain, volunteer firefighter, volunteer boating enforcement officer, or volunteer conservation and resources enforcement officer; and
- (2) Clarifies the computation of an injured volunteer firefighter's average weekly wages for purposes of determining workers' compensation benefits.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations.

Your Committee finds that it is appropriate for injured public board members, reserve police officers, police chaplains, sheriffs' chaplains, volunteer firefighters, volunteer boating enforcement officers, or volunteer conservation and resources enforcement officers to be afforded equitable workers' compensation 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. 696, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1001      Ways and Means on S.B. No. 597**

The purpose and intent of this measure is to amend the income tax law.

More specifically, this measure excludes from the state income tax income received from deferred compensation retirement plans by taxpayers who meet certain income requirements.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the intent of this measure is to address inequity in the taxation of retirement income, which results in many seniors in Hawaii struggling to make ends meet.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 597, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1002      Ways and Means on S.B. No. 481**

The purpose and intent of this measure is to amend testing and reporting requirements for the State's public schools.

Specifically, the measure:

- (1) Repeals standardized assessment requirements for students entering kindergarten; and
- (2) Requires the Department of Education to submit annual reports on data collected on early learning programs pursuant to section 302A-1166, Hawaii Revised Statutes.

Your Committee received written comments in support of this measure from the University of Hawaii; Ke Kula 'O Nāwahīkalanī 'ōpu'u; 'Aha Pūnana Leo, Inc.; HE'E Coalition; and numerous individuals.

Your Committee received written comments on this measure from the Department of Education, Department of the Attorney General, Board of Education, Hawaii State Teachers Association, Hawaii State Public Charter School Commission, and one individual.

Your Committee finds that the reports required by this measure will provide the Legislature with relevant and important data regarding the State's early learning programs. Your Committee further finds that eliminating standardized assessments for students entering public kindergarten will help ensure that schools' time and resources are used effectively.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 481, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

**SCRep. 1003 Ways and Means on S.B. No. 460**

The purpose and intent of this measure is to appropriate moneys to the Office of Community Services of the Department of Labor and Industrial Relations to fund the costs of purchasing, storing, and transporting food for distribution to food banks in the State.

Your Committee received written comments in support of this measure from the Department of Human Services; Hawaii Office of Community Services; Hawaii Primary Care Association; Hawaii Children's Action Network Speaks!; Hawaii Food Industry Association; Hawaii Hunger Action Network; Hawaii Farm Bureau; Waianae Coast Community Foundation; Angel Network Charities; Ulupono Initiative; Hawaii Foodbank; The Food Basket, Inc.; St. Elizabeth's Church; and four individuals.

Your Committee finds that the State's food banks are a critical safety net in Hawaii's food and disaster response system. The moneys appropriated by this measure will help ensure that the food banks may continue to serve the State's communities efficiently and effectively.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 460, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 1004 Ways and Means on S.B. No. 163**

The purpose and intent of this measure is to appropriate moneys for the Executive Office on Aging's Alzheimer's disease and related dementias public health campaign.

Your Committee received written comments in support of this measure from AARP Hawaii; Alzheimer's Association; Hawaii Family Caregiver Coalition; Hawaii Iron Workers Stabilization Fund; Hawaii Primary Care Association; Hawaii Psychological Association; National Association of Social Workers, Hawaii Chapter; The Hawaiian Islands Association for Marriage and Family Therapy; The Kupuna Caucus of the Democratic Party of Hawaii; United Public Workers; and numerous individuals.

Your Committee received written comments on this measure from the Executive Office on Aging of the Department of Health.

Your Committee finds that increasing the public's awareness of early diagnosis of Alzheimer's disease and related dementias will help affected residents to mitigate the severity of these illnesses and allow their families to plan better care for their affected loved ones.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 163, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1005 (Majority) Ways and Means on S.B. No. 1167**

The purpose and intent of this measure is to propose an amendment to the Hawaii State Constitution to protect an individual's reproductive freedom in their most intimate decisions, including the right to abortion and contraceptives.

Your Committee received written comments in support of this measure from the Hawaii Civil Rights Commission, Imua Alliance, Education Caucus of the Democratic Party of Hawaii, Stonewall Caucus of the Democratic Party of Hawaii, Save Medicaid Hawaii, and nine individuals.

Your Committee received written comments in opposition to this measure from the Hawaii Family Forum, Hawaii Catholic Conference, Hawaii Women Lawyers, and numerous individuals.

Your Committee finds that the constitutional amendment proposed in this measure will serve as a strong reaffirmation of the express right to privacy already guaranteed in the Hawaii State Constitution.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1167, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, 1 (Fevella). Excused, none.

**SCRep. 1006 Ways and Means on S.B. No. 1247**

The purpose and intent of this measure is to require the Hawaii State Energy Office to enter into a public-private partnership to develop a waste-to-energy generating facility.

Your Committee received written comments in support of this measure from the Hawaii Iron Workers Stabilization Fund, IBEW Local Union 1186, Operating Engineers Local 3 - Hawaii, and one individual.

Your Committee received written comments in opposition to this measure from the Environmental Caucus of the Democratic Party of Hawaii, 350Hawaii, Climate Protectors Hawaii, Kauai Climate Action Coalition, Zero Waste Kauai, Zero Waste Oahu, Sierra Club of Hawaii, Covanta, Kauai Women's Caucus, and seven individuals.

Your Committee received written comments on this measure from the Department of Public Safety, Hawaii State Energy Office, and Hawaiian Electric.

Your Committee finds that engaging with private partners to fund a waste-to-energy generating facility will positively leverage state resources and facilitate collaboration to help improve Hawaii's energy efficiency.

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. 1247, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1247, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1007 Ways and Means on S.B. No. 1254**

The purpose and intent of this measure is to establish the Kaiwi Coast State Park.

More specifically, this measure:

- (1) Designates lands within the Kaiwi Coast State Park as conservation land to be preserved in perpetuity in a wild and natural state;
- (2) Designates certain lands within the Kaiwi State Scenic Shoreline as the Kaiwi Coast State Park;
- (3) Establishes full-time positions within the Department of Land and Natural Resources to support proper land and parks management at the Kaiwi Coast and other areas; and
- (4) Appropriates moneys for the establishment, planning, and design of the Kaiwi Coast State Park and Maunaloa-Makapuu scenic byway improvements.

Your Committee received written comments in support of this measure from Friends of Hanauma Bay; Hawaii Bicycling League; Ka Iwi Coalition; Livable Hawaii Kai Hui; Sierra Club of Hawaii; Surfrider Foundation, Hawaii Region; and two 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.

Your Committee finds that establishing the Kaiwi Coast State Park and requiring that park lands remain undeveloped in perpetuity will help to ensure that the Kaiwi Coast's ecological and cultural character remains intact for current and future generations.

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. 1254, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1254, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Aquino).

**SCRep. 1008 Ways and Means on S.B. No. 1296**

The purpose and intent of this measure is to meet federal statutory requirements for designation as an Economic Development District by establishing an economic development district planning organization within the Department of Business, Economic Development, and Tourism Office of Planning and Sustainable Development.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Hawaii Island Economic Development Board; and Maui Chamber of Commerce.

Your Committee finds that the Economic Development District designation facilitated by this measure will give the Department of Business, Economic Development, and Tourism; other state agencies; and non-profit organizations in the State access to federal resources, including federal funds, that are only available to formally designated Economic Development Districts.

Your Committee has amended this measure by:

- (1) Clarifying that the two full-time equivalent economic development planning analyst positions created by the measure should be hired without regard to Chapters 76 and 89, Hawaii Revised Statutes;
- (2) Changing the amount of the appropriation from \$200,000 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. 1296, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1296, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Aquino).

**SCRep. 1009 Ways and Means on S.B. No. 1297**

The purpose and intent of this measure is to establish a public policy framework to address the State's goals in the area of economic diversification.

Specifically, the measure:

- (1) Appropriates moneys to the Hawaii Technology Development Corporation to implement specific projects that address the State's economic diversification goals;
- (2) Requires the Hawaii Technology Development Corporation to submit annual reports to the Legislature;
- (3) Authorizes the Hawaii Technology Development Corporation to temporarily re-establish the Hawaii Office of Naval Research Grant Program to provide fifty percent matching grants to Hawaii awardees of alternative energy research grants from the Department of Defense Office of Naval Research; and
- (4) Establishes and appropriates moneys into, and out of, the Alternative Energy Research and Development 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 County Councilmember for District 5; Makai Ocean Engineering, Inc.; HIplan; Guide Star Engineering, LLC; Experiad Solutions; Chamber of Commerce Hawaii; Maui Brewing Co.; Oceanic Imaging Consultants; Pacific Asian Center for Entrepreneurship; Hawaii Venture Capital Association; Mana Up; Blue Startups; Hawaii Island Economic Development Board; Purple Maia Foundation; Hawaii Fish Company, Inc.; Tea Hawaii & Company; VisSidus Technologies, Inc.; Hub Coworking Hawaii; HNu Photonics; Nalu Scientific, LLC; Hyperspective Studios, Inc.; Elemental Excelerator; Hawaiian Vinegar & Spice Company; Hawaii Hui, LLC; and three individuals.

Your Committee received written comments on this measure from one individual.

Your Committee finds that this measure provides a framework to accelerate the State's economic diversification efforts through substantial, strategic, coordinated investments that align individual projects with larger State objectives.

Your Committee notes that Oceanit requested in written comments that the matching grant fund be increased to \$5,000,000.

Your Committee has amended this measure by:

- (1) Amending the composition of the Hawaii Technology Development Corporation Board of Directors to include the Chairperson of the Board of Regents of the University of Hawaii, unless the Chairperson, with the approval of the Board of Regents and subject to quorum and majority requirements, designates another Regent to serve;
- (2) Amending sunset dates to establish the Hawaii Office of Naval Research Grant Program as a three-year program, rather than a two-year program;
- (3) Changing the appropriation amounts to unspecified sums;
- (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. 1297, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1297, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Aquino).

**SCRep. 1010 Ways and Means on S.B. No. 1287**

The purpose and intent of this measure is to provide resources for the upkeep of state facilities.

More specifically, the measure appropriates an unspecified sum to the Department of Business, Economic Development, and Tourism to renovate its offices on the fifth floor of the No. 1 Capitol District Building located at 250 South Hotel Street in Downtown Honolulu.



Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Green Infrastructure Authority.

Your Committee finds that the entire fifth floor of the No. 1 Capitol District Building needs to be completely renovated due to health and safety concerns and deteriorating conditions, and that the appropriation made by this measure is needed to cover renovation-related expenses not included in the building renovation contract, such as moving and storage of items, replacement of partitions and furniture, and temporary office rental and relocation expenses.

Your Committee notes the written comments of the Department of Business, Economic Development, and Tourism requesting \$660,000 for expenses not included in the renovation contract.

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. 1287, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1287, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1011 Ways and Means on S.B. No. 1206**

The purpose and intent of this measure is to encourage the development of housing projects in the State.

More specifically, this measure authorizes the Director of Finance to exempt a depository from the requirement to pay all deposits of public funds upon demand, under the condition that the depository has provided loans with below-market interest rates and longer terms for housing projects where all dwelling units are exclusively reserved for owner-occupants who own no other real property and are residents of the State.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of Commerce and Consumer Affairs.

Your Committee notes the concerns expressed by the Department of Budget and Finance that the measure has the potential to cause substantial portions of the state treasury to become illiquid, which would hinder the State's ability to pay its obligations. The Department of Budget and Finance further stated that the measure could allow financial institutions to withhold the State's cash on deposit and possibly prevent the payment of state checks, should the Director of Finance grant them an exemption.

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. 1206, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1206, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1012 Ways and Means on S.B. No. 1166**

The purpose and intent of this measure is to allow for the renewal of driver's licenses by mail or online.

Your Committee received written comments in support of this measure from three individuals.

Your Committee received written comments on this measure from the City and County of Honolulu Department of Customer Services.

Your Committee finds that allowing driver's licenses to be renewed online will make renewal more convenient and reduce wait times at satellite city halls.

Your Committee has amended this measure by:

- (1) Clarifying that online renewal applicants are required to provide a medical statement, notarized statement, and other information to confirm the applicant's identity, as recommended in written comments from the City and County of Honolulu Department of Customer 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 S.B. No. 1166, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1166, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1013 Ways and Means on S.B. No. 1151**

The purpose and intent of this measure is to increase accessibility to higher education at the State's community colleges.

Specifically, this measure exempts University of Hawaii community college students enrolled in certificate programs from the requirement to complete the Free Application for Federal Student Aid (FAFSA) each academic year to be eligible for the Hawaii Community College Promise Program.

Your Committee received written comments in support of this measure from the University of Hawaii, State Council on Developmental Disabilities, Disability and Communication Access Board, and University of Hawaii Professional Assembly.

Your Committee received written comments on this measure from the Department of the Attorney General.

Your Committee finds that requiring students to complete the Free Application for Federal Student Aid in order to be eligible for the Hawaii Community College Promise Program may act as a barrier for students pursuing post-graduate certificates, including students with developmental disabilities. Your Committee further finds that the exemption provided under this measure will help to increase access to higher education.

Your Committee has amended this measure by:

- (1) Declaring that access to the Hawaii Community College Promise Program is a matter of statewide concern;
- (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. 1151, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1151, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1014 Ways and Means on S.B. No. 1145**

The purpose and intent of this measure is to require housing projects developed by the Hawaii Housing Finance Development Corporation to be subject to a restrictive covenant that requires units designated as affordable housing to remain as affordable housing in perpetuity.

Your Committee received written comments in support of this measure from three individuals.

Your Committee received written comments in opposition to this measure from NAIOP Hawaii; Stanford Carr Development, LLC; Highridge Costa; Housing Hawaii's Future; Affordable Housing Connections, LLC d/b/a AHC Hawaii; and one individual.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation, Department of Land and Natural Resources, and Maui Chamber of Commerce.

Your Committee finds that when the Hawaii Housing Finance and Development Corporation or another entity develops affordable housing that is exempt from the various planning, zoning, and construction laws pursuant to section 201H-38, Hawaii Revised Statutes, requiring those housing units developed to remain affordable in perpetuity will help to increase the supply of affordable housing statewide.

Your Committee has amended this measure by:

- (1) Specifying that the exemptions authorized by section 201H-38, Hawaii Revised Statutes, do not apply to any housing development within a special flood hazard area as identified on the current Federal Emergency Management Agency's flood insurance rate maps;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making a technical nonsubstantive amendment 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. 1145, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1145, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1015 Ways and Means on S.B. No. 1163**

The purpose and intent of this measure is to appropriate moneys for the operational expenses of the Hawaii Wing of the Civil Air Patrol.

Your Committee received written comments on this measure from the Department of the Attorney General.

Your Committee finds that the appropriation made by this measure will help civilian auxiliary aviation operations provide flight operations and training in support of state and county civil defense agencies.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriation is for civilian auxiliary aviation operations of the type performed by the Civil Air Patrol, including search and rescue, damage assessments, aerial photography of impacted areas, alerts and notifications, and transportation of supplies, as recommended in written comments from the Department of the Attorney General;

- (2) Changing the amount of the appropriation from \$150,000 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. 1163, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1163, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1016 Ways and Means on S.B. No. 1215**

The purpose and intent of this measure is to help address the State's shortage of healthcare workers.

Specifically, this measure amends the preceptor tax credit law by:

- (1) Amending the definitions of "preceptor" and "volunteer-based supervised clinical training rotation" to increase accessibility to the tax credit;
- (2) Adding physician assistants, social workers, and licensed dietitians to the list of preceptors;
- (3) Amending the definition of "eligible student" to include physician assistant students, dietitian students, and social work students; and
- (4) Adding the Director of Health to the preceptor credit assurance committee.

Your Committee received written comments in support of this measure from the Department of Health, University of Hawaii, Hawaii Pacific Health, Hawaii Primary Care Association, Hawaii Association of Professional Nurses, Hawaii Pacific University Physician Assistant Program, Kaiser Permanente, Hawaii Academy of Physician Assistants, The Queen's Health System, Hawai'i Center for Nursing, 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 the preceptor tax credit program promotes mentorship by experienced clinicians, which is a key aspect of medical training. Your Committee further finds that this measure amends certain provisions of the program to make the tax credit easier to access, thereby encouraging more healthcare professionals to serve as preceptors.

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. 1215, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1215, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1017 Ways and Means on S.B. No. 1223**

The purpose and intent of this measure is to support agriculture in the State by providing assistance to an agricultural enterprise.

More specifically, the measure authorizes the Department of Budget and Finance, with the Governor's approval, to issue special purpose revenue bonds in a total amount not exceeding \$30,000,000 to assist MauiGrown Coffee, Inc. with the expanded operation of its coffee farm and mill in Puukoolii, Maui.

Your Committee received written comments in support of this measure from the Department of Agriculture; MauiGrown Coffee, Inc.; Hawaii Coffee Association; 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 this measure will reauthorize and renew a prior 2017 issuance of special purpose revenue bonds to assist MauiGrown Coffee, Inc., which lapsed on June 30, 2022, and that this measure's renewal of assistance for the Maui-based company to expand its operations will benefit the local coffee industry and enhance agricultural efforts in the State.

Your Committee has amended this measure by:

- (1) Changing the maximum bond issuance amount from \$30,000,000 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 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. 1223, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1223, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1018 Ways and Means on S.B. No. 1232**

The purpose and intent of this measure is to allow the Hawaii State Public Library System greater flexibility in certain aspects of its operations.

More specifically, the measure allows the state librarian to:

- (1) Impose and collect rates, rents, fees, fines, and charges for the use of state library facilities, provided that contracting for concessions within a library facility shall not be subject to the requirements of section 102-147, Hawaii Revised Statutes; and revise these rates, rents, fees, fines, and charges with the approval of the Board of Education; and
- (2) Prescribe procedures relating to certain costs, fines, and fees without regard to Chapter 91, Hawaii Revised Statutes.

Your Committee received written comments on this measure from the Hawaii State Public Library System.

Your Committee finds that this measure will simplify the Hawaii State Public Library System's process for updating fee schedules, which currently requires use of the administrative rulemaking process set forth in Chapter 91, Hawaii Revised Statutes, and thus would provide the public library system with the flexibility it needs to adjust its services in response to changing community needs.

Your Committee has amended this measure by:

- (1) Correcting an erroneous reference to section 102-147, Hawaii Revised Statutes, to instead reference section 102-14, Hawaii Revised Statutes, which authorizes registered and permitted blind or visually disabled persons to operate vending facilities and machines in public buildings;
- (2) Specifying that the statutory amendments made by this measure shall be repealed after five years;
- (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. 1232, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1232, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1019 Ways and Means on S.B. No. 1240**

The purpose and intent of this measure is to provide the State with additional tools to help deter bribery and corruption.

Specifically, the measure:

- (1) Amends the offense of bribery to increase the maximum financial penalty to \$250,000;
- (2) Requires the Commission on Salaries to consider certain factors to retain qualified persons and to deter bribery and corruption; and
- (3) Amends the effective dates of salary increases recommended by the Commission on Salaries.

Your Committee received written comments on this measure from the Department of the Attorney General, Judiciary, and Department of Human Resources Development.

Your Committee finds that bribery severely harms the legislative process and breaches the public's trust in government. This measure provides salary incentives and additional prosecutorial tools, and allows judges to impose sanctions that are more severe, to help deter bribery and corruption.

Your Committee has amended this measure by:

- (1) Clarifying that a maximum fine of \$250,000 may be imposed for bribery, notwithstanding any law to the contrary, based on written comments from the Department of the Attorney General; 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. 1240, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1240, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1020 Ways and Means on S.B. No. 1492**

The purpose and intent of this measure is to provide additional oversight and resources to help persons suffering from severe mental illness.

Specifically, the measure:

- (1) Requires the Department of Health to track and publicly report certain data relating to crisis reports, emergency mental health transports, and court-ordered treatments;

- (2) Requires the Department of Health to review reports of persons having severe mental illnesses who are in need of assistance; assess whether the person fulfills the criteria for assisted community treatment; and, if the person meets the criteria, initiate the process for an assisted community treatment order;
- (3) Establishes that a court's denial of a petition for involuntary treatment shall serve as notification to the Department of Health that the person should be evaluated for assisted community treatment;
- (4) Requires the Department of the Attorney General to assist with the preparation and filing of petitions for assisted community treatment and related court proceedings, unless the petitioner declines the assistance; and
- (5) Appropriates moneys to the Department of Health for software, data collection, and publication.

Your Committee received written comments in support of this measure from the Office of the Governor, Judiciary, Hawaii Substance Abuse Coalition, and one individual.

Your Committee received written comments on this measure from the Department of Health.

Your Committee finds that the data, oversight, and assistance required by this measure will help support the efforts of state agencies, service providers, and community stakeholders to expand the State's continuum of care for persons in crisis.

Your Committee notes that the Department of Health estimated in written comments that an appropriation of \$4,000,000 will be needed to implement the provisions of this measure.

Your Committee has amended this measure by:

- (1) Changing the amount of the appropriation from \$100,000 to an unspecified sum 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. 1492, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1492, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

#### **SCRep. 1021 Ways and Means on S.B. No. 1498**

The purpose and intent of this measure is to improve protections for wetland taro lands and ancient wetland agricultural structures.

Specifically, this measure:

- (1) Prohibits the Board of Land and Natural Resources from disturbing or acquiring for development certain wetland taro-growing lands;
- (2) Establishes a taro lands classification for public lands;
- (3) Permits structures for loi taro fields in the agricultural district;
- (4) Establishes growth and perpetuation of traditional Hawaiian crops as a goal of the Hawaii State Planning Act; and
- (5) Authorizes the Land Use Commission to create an inventory of taro lands.

Your Committee received written comments in support of this measure from Malama Kaua'i, Hawaii Farmers Union United, Food+Policy Internship, Hawai'i Alliance for Progressive Action, Malama Makua, and sixteen individuals.

Your Committee received written comments on this measure from the Office of Hawaiian Affairs and one individual.

Your Committee finds that key structural elements for viable wetland taro production are currently at risk of being destroyed, severed, or built upon by private and public development because of gaps in land use, historic preservation, and planning laws and policies. Your Committee further finds that this measure will improve protections for taro growing lands, support taro farmers, and encourage the cultivation of an important Hawaiian staple food.

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 the 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. 1498, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1498, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

#### **SCRep. 1022 Ways and Means on S.B. No. 1511**

The purpose and intent of this measure is to amend the purposes and powers of the Research Corporation of the University of Hawaii.

Specifically, this measure:

- (1) Clarifies the purposes of the Research Corporation of the University of Hawaii;
- (2) Amends certain powers of the Research Corporation of the University of Hawaii to better reflect those purposes;
- (3) Repeals the requirement that the University of Hawaii contract with the Research Corporation when the University of Hawaii determines that various other agencies cannot more effectively or efficiently accomplish certain research and training activities;
- (4) Requires the University of Hawaii to notify the exclusive representative of the appropriate bargaining unit to review conformance of positions with exceptions to collective bargaining for each project or program involving the Research Corporation and a state employee;
- (5) Limits the scope of the special accounts that the Research Corporation may establish to moneys received for research and training purposes;
- (6) Requires the Research Corporation to follow certain University of Hawaii administrative procedures for revolving fund service orders; and
- (7) Limits internal service orders and revolving accounts of the Research Corporation that use University intramural funds to certain projects and requires biannual reports to the Legislature.

Your Committee received written comments in support of this measure from the University of Hawaii and Hawaii Government Employees 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 Land and Natural Resources and one individual.

Your Committee finds that the Research Corporation of the University of Hawaii has gradually expanded its undertakings over the years beyond its original mandate. Your Committee further finds that this measure provides clarity to the Research Corporation of the University of Hawaii's purpose.

Your Committee has amended this measure by:

- (1) Clarifying that the purposes of the Research Corporation of the University of Hawaii include:
  - (A) Encouraging and aiding in the education or training of persons in the conduct of training, investigations, research, and study; provided that the persons being educated or trained are engaged in the conduct of research; and
  - (B) Assisting in the dissemination of knowledge from research studies by establishing staff positions, fellowships, scholarships, publications, and lectures;
- (2) Clarifying the allowable uses of internal service orders and revolving accounts that involve the use of University of Hawaii intramural funds;
- (3) Clarifying the dates on which certain biannual reports must be submitted to the Legislature;
- (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. 1511, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1511, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

#### **SCRep. 1023 Ways and Means on S.B. No. 1520**

The purpose and intent of this measure is to require and appropriate moneys for the Department of Business, Economic Development, and Tourism to work with the University of Hawaii on workforce development activities that support the development of the Hawaii Pacific Hydrogen Hub and other related aspects of the State's hydrogen energy industry.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office; Department of Business, Economic Development, and Tourism; University of Hawaii; Sustainable Energy Hawaii; Servco; and two individuals.

Your Committee finds that the development of the Hawaii Pacific Hydrogen Hub, as supported by this measure, will help the State develop clean energy investments, well-paying jobs, and improved energy security.

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. 1520, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1520, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1024 Ways and Means on S.B. No. 1534**

The purpose and intent of this measure is to help the State adapt to the increased adoption of new modes of transportation.

More specifically, this measure:

- (1) Replaces the \$50 annual vehicle registration surcharge fee with a state mileage-based road usage charge for certain electric vehicles; and
- (2) Repeals the existing State Highway Safety Council and establishes a new Hawaii Highway Safety and Modernization Council.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office, Hawaii EV Association, Kauai Climate ACTION Coalition, Ulupono Initiative, 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 Big Island Electric Vehicle Association, Climate Protectors Hawaii, and Tax Foundation of Hawaii.

Your Committee finds that the establishment of a state mileage-based road usage charge for certain electric vehicles will help to address fuel tax revenue decreases by creating a more sustainable source of funding for the State's roadway maintenance costs.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the state arborist serve as a member of the Hawaii Highway Safety and Modernization Council;
- (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. 1534, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1534, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1025 Ways and Means on S.B. No. 1547**

The purpose and intent of this measure is to establish a food and product innovation network within the Agribusiness Development Corporation and to appropriate moneys for food and product innovation facilities on the islands of Molokai and Oahu.

Your Committee received written comments in support of this measure from the Agribusiness Development Corporation, Hawaii Department of Agriculture, University of Hawaii, Hawaii Farm Bureau, Hawaii Food Industry Association, Ulupono Initiative, and two individuals.

Your Committee finds that the creation of a food and product innovation network will allow the agencies and businesses involved in creating value-added products to share expertise, information, and ideas, and will help support entrepreneurs and spur statewide economic development.

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. 1547, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1547, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1026 Ways and Means on S.B. No. 1551**

The purpose and intent of this measure is to establish and appropriate moneys for a supportive housing pilot program within the Statewide Office of Homelessness and Housing Solutions to provide housing and coordinated services for persons and families having special needs.

Your Committee received written comments in support of this measure from the Department of Public Safety, Hawaii Housing Finance and Development Corporation, Judiciary, State Procurement Office, Hawaii Public Housing Authority, State Council on Developmental Disabilities, Office of the Governor, Hawaii Substance Abuse Coalition, Catholic Charities Hawaii, AARP Hawaii, Hawaiian Humane Society, Hawaii State Coalition Against Domestic Violence, and numerous individuals.

Your Committee finds that the pilot program established and funded by this measure will provide housing and coordinated services to vulnerable populations, including persons who are chronically homeless, have disabilities, are transitioning from incarceration, and who suffer from a substance abuse disorder.

Your Committee has amended this measure by:

- (1) Changing the appropriation amounts to unspecified sums, 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. 1551, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1551, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1027 Ways and Means on S.B. No. 1552**

The purpose and intent of this measure is to address the impact of little fire ants.

Specifically, this measure appropriates moneys to the Department of Land and Natural resources to support the Hawaii Ant Lab in mitigating the effects of little fire ants in the State.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; Department of Agriculture; Kona Coffee Growers Association; Sage Farms Hawaii, LLC; Wakefield & Sons, Inc.; Hawaii Farm Bureau; Big Island Invasive Species Committee; Hawaii Ant Lab; Synergistic Hawaii Agriculture Council; and ten individuals.

Your Committee finds that little fire ants are an invasive species that have a painful sting and have caused significant disruption and economic damage to Hawaii. Your Committee further finds that the Hawaii Ant Lab was established to address the overwhelming need for research, advice, and technical assistance to address and eradicate rapidly spreading little fire ant infestations.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated from \$550,000 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. 1552, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1552, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1028 Ways and Means on S.B. No. 1569**

The purpose and intent of this measure is to establish a temporary Telework Working Group.

Your Committee received written comments in support of this measure from the Department of Human Resources Development, Department of Human Services, Department of Labor and Industrial Relations, Office of Planning and Sustainable Development, Hawaii State Energy Office, and Hawaii Government Employees Association.

Your Committee finds that the establishment of a temporary working group to evaluate and address workplace issues related to telework will help the State assess the effectiveness of telework programs and identify where improvements are needed.

Your Committee has amended this measure by:

- (1) Providing that the Director of Business, Economic Development, and Tourism, or the Director's designee, shall serve on the telework working group, rather than the Director of the Office of Planning and Sustainable Development; 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. 1569, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1569, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1029 Ways and Means on S.B. No. 1573**

The purpose and intent of this measure is to ensure the availability of water for the future development of affordable housing.

Specifically, this measure:

- (1) Establishes a working group within the Office of the Governor to:
  - (A) Inventory all available water resources statewide; and
  - (B) Streamline the well permit approval process to ensure an available water supply; and
- (2) Requires the working group to submit an interim report to the Legislature no later than September 15, 2023, and a final report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Housing and Community Development of the County of Hawaii, Department of Water Supply of the County of Hawaii, Hawaii REALTORS, and Natural Energy Laboratory of Hawaii Authority.

Your Committee received written comments on this measure from the Department of Land and Natural Resources



Your Committee finds that the State currently faces an acute shortage of affordable housing. Your Committee further finds that this ongoing crisis merits a thorough examination of every impediment to the development of affordable housing, including access to potable water.

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. 1573, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1573, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1030 Ways and Means on S.B. No. 1588**

The purpose and intent of this measure is to assist Hawaii farmers in obtaining Good Agricultural Practices certifications.

Specifically, this measure appropriates funds for the establishment of a GroupGAP food safety training and certification program.

Your Committee received written comments in support of this measure from the Department of Education, University of Hawaii, Office of the Mayor of the County of Maui, North Shore Economic Vitality Partnership, Hawaii Farm Bureau, Ulupono Initiative, Hawaii Fish Company Inc., Hawaii Food+ Policy, and three individuals.

Your Committee received written comments on this measure from the Hawaii Department of Agriculture.

Your Committee finds that the GroupGAP program was created by the United States Department of Agriculture in 2015 to assist small farms with attaining Good Agricultural Practices certification. Your Committee further finds that the GroupGAP program reduces the cost of food safety certification by spreading the training, technical assistance, and auditing costs between all farms in the group.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated from \$1,000,000 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 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. 1588, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1588, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1031 Ways and Means on S.B. No. 1596**

The purpose and intent of this measure is to establish a pilot program to develop on-campus housing for teachers, staff, and administrators of Lahainaluna High School and Kulanihako'i High School.

Your Committee received written comments in support of this measure from the School Facilities Authority, Hawaii State Teachers Association, and a member of the Maui County Council.

Your Committee received written comments on this measure from the Department of the Attorney General.

Your Committee finds that providing on-campus housing will help to recruit and retain teachers. Your Committee further finds that the School Facilities Authority does not have the expertise or authority to manage housing programs. Accordingly, the administration of on-campus housing should be assigned to the Hawaii Public Housing Authority following the completion of construction.

Your Committee has amended this measure by:

- (1) Specifying that the Hawaii Public Housing Authority shall administer the on-campus housing and assume any annual reporting responsibilities of the School Facilities Authority after construction is completed by the School Facilities Authority; 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. 1596, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1596, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1032 Ways and Means on S.B. No. 1614**

The purpose and intent of this measure is to establish a new bargaining unit for adult corrections officers.

More specifically, this measure:

- (1) Establishes a separate bargaining unit for adult corrections officers of the Department of Public Safety's Corrections Division or its successor agency; and

(2) Transitions the affected personnel to the new bargaining unit (16).

Your Committee received written comments in support of this measure from the Department of Public Safety, United Public Workers, and four individuals.

Your Committee received written comments in opposition to this measure from the Department of Human Resources Development, Department of Public Safety, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that due to the unique challenges faced by, and needs of, adult corrections officers in the Department of Public Safety's Corrections Division, placing these officers into a separate bargaining unit is appropriate.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1614, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1033 (Majority) Ways and Means on S.B. No. 1315**

The purpose and intent of this measure is to discontinue employer reimbursement of Medicare Part B income related monthly adjustment amounts for certain employees hired after June 30, 2023, and their spouses.

Your Committee received written comments in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund and the Department of Budget and Finance.

Your Committee received written comments in opposition to this measure from the State of Hawaii Organization of Police Officers.

Your Committee received written comments on this measure from the Hawaii Government Employees Association.

Your Committee finds that eliminating the Medicare Part B income related monthly adjustment amounts is consistent with the non-reimbursement for Medicare Part D premiums and will save the State an estimated \$400,000,000 over the next thirty years.

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. 1315, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1315, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, 1 (Fevella). Excused, 1 (Aquino).

**SCRep. 1034 Ways and Means on S.B. No. 1332**

The purpose and intent of this measure is to clarify the scope of the State's Comprehensive Emergency Management Plan and to increase the amount of state funds that may be made available for the purpose of matching federal disaster relief funds.

Your Committee received written comments in support of this measure from the Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu.

Your Committee finds that clarifying the scope of the State's Comprehensive Emergency Management Plan will support a more holistic and cost-effective approach to emergency management and disaster response and recovery. Your Committee also finds that increasing the amount of state moneys available for the purpose of matching federal disaster relief funds will further support cost-effective disaster recovery and resilience in the State's communities.

Your Committee has amended this measure by:

- (1) Appropriating \$12,000,000 to the Hawaii Emergency Management Agency for the planning and design of a new facility to be situated within the First Responders Technology Campus in Mililani, Oahu;
- (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. 1332, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1332, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Aquino, DeCoite, Kidani).

**SCRep. 1035 Ways and Means on S.B. No. 1352**

The purpose and intent of this measure is to promote and encourage the development of affordable housing in the State.

Specifically, this measure:

- (1) Establishes the Rental Deposit Loan Program to help Hawaii residents provide security deposits for rentals;
- (2) Creates tax incentives for the development of affordable housing;

- (3) Addresses various government processes to lower housing construction costs;
- (4) Authorizes the Hawaii Housing Finance and Development Corporation to develop certain housing projects that are exempt from laws, rules, and ordinances, including income restrictions, under certain circumstances;
- (5) Authorizes the Department of Land and Natural Resources to retain a consultant to perform certain reviews;
- (6) Requires that laborers and mechanics employed for the construction of any public work project be paid no less than the prevailing wages, under certain conditions;
- (7) Requires that orders from the Governor to set aside public lands for the development of affordable housing contain a provision that the construction of the development shall be subject to Hawaii's wages and hours law for employees on public works;
- (8) Repeals the \$30,000,000 cap and contracting restriction on the general excise tax exemption for projects approved and certified by the Hawaii Housing Finance and Development Corporation; and
- (9) Appropriates funds for the establishment of the Rental Deposit Loan Program.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Office of the Governor, a member of the Kauai County Council, Pacific Resource Partnership, and Hawaii Regional Council of Carpenters.

Your Committee received written comments on this measure from the Department of Taxation, Hawaii Housing Finance and Development Corporation, Tax Foundation of Hawaii, Maui Chamber of Commerce, and one individual.

Your Committee finds that requiring contractors to comply with wage and hour laws for all government housing construction projects will help to provide workers with a living wage and promote compliance with Hawaii employment laws.

Your Committee has amended this measure by:

- (1) Deleting sections 2 through 8 and section 13 from the measure;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Changing from \$30,000,000 to an unspecified amount the general excise tax exemption limit that the Hawaii Housing Finance and Development Corporation may approve and certify for a housing project;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1352, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1352, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

**SCRep. 1036 Ways and Means on S.B. No. 55**

The purpose and intent of this measure is to amend the income tax credit for low-income household renters.

More specifically, this measure:

- (1) Increases the income thresholds and credit amounts of the income tax credit for low-income household renters by using tax brackets for individuals and different categories of households; and
- (2) Annually adjusts the income thresholds and credit amounts of the income tax credit for low-income household renters for inflation, based on the Consumer Price Index.

Your Committee received written comments in support of this measure from Catholic Charities Hawaii, Democratic Party of Hawaii Education Caucus, Hawaii Alliance for Community-Based Economic Development, Hawaii Alliance for Progressive Action, Hawaii Children's Action Network Speaks!, Imua Alliance, and four individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Taxation, Tax Foundation of Hawaii, and one individual.

Your Committee finds that the income tax credit for low-income household renters is intended to help alleviate the high cost of housing in the State. Your Committee also finds that, since 1989, the cost of housing has increased by three hundred ninety percent. Your Committee further finds that the income eligibility threshold of the income tax credit for low-income household renters was last adjusted in 1989 and the credit amount of the income tax credit for low-income household renters was last adjusted in 1981.

Your Committee notes that the Department of Taxation estimates that this measure will result in revenue losses of \$9,300,000 for Fiscal Year 2024, \$8,800,000 for Fiscal Year 2025, \$9,000,000 for Fiscal Year 2026, \$9,000,000 for Fiscal Year 2027, \$9,100,000 for Fiscal Year 2028, and \$9,100,000 for Fiscal Year 2029.

Your Committee has amended this measure by:

- (1) Clarifying that the income thresholds and credit amounts of the income tax credit for low-income household renters shall be adjusted for inflation on an annual basis;
- (2) Clarifying the names of the price indices to be used for the inflation adjustment;

- (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. 55, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 55, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1037 Ways and Means on S.B. No. 1398**

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.

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 annual conformity measure is submitted by the Department of Taxation in compliance with section 235-2.5, Hawaii Revised Statutes, which requires the Department to annually submit a measure to maintain state income tax conformity with the federal Internal Revenue Code. This measure is also intended to comply with section 236E-4, Hawaii Revised Statutes, which requires the Department to annually submit a measure to maintain state estate and generation-skipping transfer tax conformity with the federal Internal Revenue Code. 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.

Your Committee has amended this measure by:

- (1) Making corrections to the quoted text of section 235-2.5, Hawaii Revised Statutes, in the measure to accurately reflect the printed version of the Hawaii Revised Statutes;
- (2) Clarifying that sections 3 and 4 of the measure shall apply to taxable years beginning after December 31, 2022;
- (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. 1398, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1398, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1038 Ways and Means on S.B. No. 711**

The purpose and intent of this measure is to ensure gender parity in programming offered to incarcerated women and men in the State.

More specifically, the measure appropriates funds to the Hawaii Friends of Restorative Justice and Women's Prison Project as a grant under Chapter 42F, Hawaii Revised Statutes, to conduct a study of programming offered to persons incarcerated at correctional facilities and to convene a group of incarcerated women for the purpose of identifying gaps in programming offered to female inmates.

Your Committee received written comments in support of this measure from the Department of Public Safety, Women's Prison Project, and Stonewall Caucus of the Democratic Party of Hawaii.

Your Committee recognizes the apparent lack of parity in the range and quality of programming that is currently available to female and male inmates in the State, based upon information in a December 2021 report of the Department of Public Safety to the Legislature on gender responsive, community-based programs for women. Accordingly, your Committee finds that the activities funded by this measure are necessary to identify the scope of the issue and possible solutions.

Your Committee has amended this measure by:

- (1) Removing references to the Women's Prison Project in the measure's appropriation section;
- (2) Changing the appropriation from \$120,000 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. 711, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 711, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1039 Ways and Means on S.B. No. 1470**

The purpose and intent of this measure is to enhance safety and promote accountability for staff and inmates in the State's correctional system.

More specifically, the measure:

- (1) Requires the Department of Public Safety, by July 1, 2024, to install digital cameras in all guard control rooms of correctional centers that house women, and requires the Department to ensure the documentation and accessibility of video evidence that may pertain to misconduct, negligent or abusive treatment, or criminal activity; and
- (2) Appropriates funds for the purchase and installation of the cameras.

Your Committee received written comments in support of this measure from the Department of Public Safety, Hawaii Correctional System Oversight Commission, United Public Workers, Opportunity Youth Action Hawaii, and six individuals.

Your Committee received written comments on this measure from the Community Alliance on Prisons.

Your Committee finds that requiring and funding the installation of video cameras in guard control rooms of correctional facilities that house women will improve conditions for both staff and inmates by helping to prevent and deter sexual assaults, movement of contraband, and other unlawful or inappropriate activities.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$100,000 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. 1470, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1470, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1040 Ways and Means on S.B. No. 1474**

The purpose and intent of this measure is to improve access to and the quality of long-term care services in the State.

Specifically, this measure appropriates moneys to the Department of Human Services for the achievement of full funding of Medicaid home- and community-based services.

Your Committee received written comments in support of this measure from the Executive Office on Aging, AARP Hawaii, The Kupuna Caucus of the Democratic Party of Hawaii, Hawaii Medical Service Association, ILWU Local 1000, Evergreen Adult Day Care, and five individuals.

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

Your Committee finds that Medicaid home- and community-based services provide critical services to low-income seniors and individuals with disabilities. Your Committee further finds that investing in these home- and community-based services will improve access to those services for seniors and individuals with disabilities, while also providing fair wages and career advancement opportunities for the workers who care for them.

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. 1474, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1474, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1041 Ways and Means on S.B. No. 1486**

The purpose and intent of this measure is to prevent food waste and reduce food insecurity by expanding meat processing capacity in the State, including the processing of wild game.

More specifically, the measure:

- (1) Requires the Department of Agriculture, in collaboration with the Hawaii Interagency Council on Homelessness; Department of Land and Natural Resources, Division of Forestry and Wildlife; and Department of Health, Food Safety Branch; and in consultation with the County of Maui Axis Deer Task Force, to develop and implement a plan to expand the meat processing capacity in the State to allow for meat from axis deer and other wild game to be processed for distribution by nonprofit food distribution services by July 1, 2024; and
- (2) Appropriates funds to the Department of Agriculture for implementation of the plan.

Your Committee received written comments in support of this measure from the Department of Agriculture, Maui County Council, Hawaii Farm Bureau, Aina Ho'okupu o Kilauea, Maui County Farm Bureau, Hawaii Forest Industry Association, Hawaii Farmers Union United, Hawaii Cattlemen's Council, and eight individuals.

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

Your Committee finds that this measure's solution to two existing challenges--an overabundance of wild game and statewide food insecurity--by expanding the State's meat processing and distribution capacity, with assistance from community-based nonprofit food distribution organizations, will allow for more efficient distribution of available food resources to under-resourced communities.

Your Committee has amended this measure by:

- (1) Clarifying that the purpose of the measure is to appropriate funds to expand the State's meat processing and distribution capacity, including a donation program;
- (2) Clarifying that the deadline of July 1, 2024, is the date by which distribution of meat under the plan shall commence; 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. 1486, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1486, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1042 Ways and Means on S.B. No. 1488**

The purpose and intent of this measure is to require the University of Hawaii College of Tropical Agriculture and Human Resources, in consultation with livestock industry stakeholders, to conduct a study to assess the effects of heat stress on beef cattle during interisland ocean transportation.

Your Committee received written comments in support of this measure from the Department of Agriculture; Animal Rights Hawaii; Hawaii Sustainable Beef, LLC; Hawaii Cattlemen's Council; Animal Welfare Institute; Hawaii Farm Bureau; Ponoholo Ranch, Ltd; and seven individuals.

Your Committee received written comments on this measure from the University of Hawaii.

Your Committee finds that the study required by this measure will help the State better understand the impacts of interisland ocean transport, as currently practiced, on animal welfare and meat quality and to develop practices that are best for the animals and the 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 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. 1488, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1488, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1043 Ways and Means on S.B. No. 652**

The purpose and intent of this measure is to respond to threats posed by invasive species to the State's livestock ranching industry.

More specifically, the measure:

- (1) Appropriates unspecified funds to the Department of Agriculture to mitigate and control infestations of the two-lined spittlebug and undertake recovery efforts for lands damaged by the two-lined spittlebug; and
- (2) Requires the Department of Agriculture to submit a report to the 2023 Legislature.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; University of Hawaii; Haleakala Ranch; Larry Jefts Farms, LLC; McCandless Ranch; Land Use Research Foundation of Hawaii; Hawaii Cattlemen's Council; Hawaii Forest Industry Association; Big Island Invasive Species Committee; Hawaii Farm Bureau; Ulupono Initiative; Hawaii Sustainable Beef Enterprises, LLC; Ponoholo Ranch, Ltd.; Kealia Ranch; and nine individuals.

Your Committee received written comments on this measure from the Department of the Attorney General and Department of Agriculture.

Your Committee finds that it is crucial to control infestations of the two-lined spittlebug, an invasive insect that has reduced the quality of forage pastures relied upon by the State's highly productive and extremely valuable livestock ranching industry, to protect jobs and food security in the State. However, your Committee also finds that the noticeable increase in the State's feral chicken, rooster, and pig populations raises various health and safety concerns, and that this measure should also provide for the mitigation and control of these additional threats.

Your Committee has amended this measure by:

- (1) Correcting an erroneous reference to the Regular Session of 2023 with respect to the deadline for the Department of Agriculture's report to the Legislature on two-lined spittlebug control and mitigation, and instead requiring the Department to submit an interim report to the 2024 Legislature and a final report to the 2026 Legislature;
- (2) Inserting new provisions that:
  - (A) Require the Department of Agriculture to establish a five-year pilot program to provide traps to members of the public to mitigate and control the State's feral chicken, rooster, and pig populations, and to submit an interim report to the 2026 Legislature and a final report to the 2028 Legislature; and
  - (B) Appropriate funds for the five-year pilot program;
- (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. 652, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 652, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1044 Ways and Means on S.B. No. 606**

The purpose and intent of this measure is to make hearing aids more affordable.

More specifically, this measure exempts from the general excise tax, gross receipts received by a hospital, infirmary, medical clinic, health care facility, pharmacy, or a practitioner licensed to administer drugs to an individual, from the sale of hearing aids.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board, Kupuna Caucus of the Democratic Party of Hawaii, and eight individuals.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that hearing is an important sense upon which an individual depends for communication. Your Committee also finds that adding the general excise tax to the cost of hearing aids may preclude people who rely on these devices from being able to afford them.

Your Committee notes the Department of Taxation's request that the measure take effect on January 1, 2024, to allow sufficient time to make necessary form and system changes.

Your Committee has amended this measure by adding a sunset date of January 1, 2026.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 606, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 606, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

**SCRep. 1045 Ways and Means on S.B. No. 511**

The purpose and intent of this measure is to support local agricultural operations by exploring the use of alternative farm technology.

More specifically, the measure:

- (1) Requires the Department of Agriculture to establish a pilot program to identify and purchase the outer shell of small equipment tractors used in foreign agriculture, and attempt to retrofit their engines to comply with Environmental Protection Agency standards;
- (2) Requires the Department of Agriculture to submit a report to the 2024 Legislature; and
- (3) Appropriates funds for the pilot program.

Your Committee received written comments in support of this measure from the Hawaii Farm Bureau, Land Use Research Foundation of Hawaii, Aina Ho'okupu o Kilauea, Hawaii Floriculture and Nursery Association, Maui County Farm Bureau, Ulupono Initiative, Hawaii Crop Improvement Association, Hawaii Cattlemen's Council, and seven individuals.

Your Committee received written comments on this measure from the Department of Agriculture.

Your Committee finds that the use of farm technologies such as small equipment tractors from Japan is a way for farmers and ranchers to increase the efficiency of their operations, provided that this equipment can be retrofitted to comply with Environmental Protection Agency standards. Your Committee further finds that the pilot program funded by this measure is a creative solution to the State's farm labor shortage.

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. 511, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 511, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1046 Ways and Means on S.B. No. 500**

The purpose and intent of this measure is to appropriate moneys for the establishment of three mental health practitioner positions within the University of Hawaii's Counseling and Student Development Center.

Your Committee received written comments in support of this measure from the University of Hawaii and two individuals.

Your Committee finds that establishing additional full-time mental health practitioner positions within the University of Hawaii's Counseling and Student Development Center will allow the Center to more effectively provide clinical support to students.

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. 500, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 500, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Aquino).

**SCRep. 1047 Ways and Means on S.B. No. 426**

The purpose and intent of this measure is to implement the recommendations of the cesspool conversion working group by requiring priority level 1 cesspools to be upgraded, converted, or connected before January 1, 2030, and priority level 2 cesspools to be upgraded, converted, or connected before January 1, 2035.

Your Committee received written comments in support of this measure from the Department of Health, Department of Land and Natural Resources, Hawaii Green Infrastructure Authority, State of Hawaii Climate Change Mitigation and Adaptation Commission, Department of Environmental Management for the County of Hawaii, Environmental Caucus of the Democratic Party of Hawaii, Surfriider Foundation Hawaii Region, Ulupono Initiative, Wastewater Alternatives and Innovations, Hawaii Reef and Ocean Coalition, and numerous individuals.

Your Committee received written comments in opposition to this measure from three individuals.

Your Committee received written comments on this measure from Hawaii REALTORS.

Your Committee finds that accelerating upgrades for high-priority cesspools that pose the greatest threat to nearshore water quality and human health will help minimize future contamination of Hawaii's fragile aquatic areas.

Your Committee has amended this measure by:

- (1) Providing that priority level 1 cesspools on recreational residence leases within the Kokee State Park and Waimea Canyon State Park on the island of Kauai shall be upgraded, converted, or connected before January 1, 2035, as recommended in written testimony from the Department of Land and Natural Resources;
- (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. 426, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 426, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 1048 Ways and Means on S.B. No. 391**

The purpose and intent of this measure is to stimulate and revitalize the State's post-pandemic economic recovery by investing in workforce development programs.

More specifically, the measure appropriates funds for administration, training, personnel, and student support components of the workforce development programs administered by the University of Hawaii community colleges.

Your Committee received written comments in support of this measure from the Department of Education, State Council on Developmental Disabilities, University of Hawaii, University of Hawaii Professional Assembly, ACT, Maui Hotel and Lodging Association, and four individuals.

Your Committee finds that the workforce development programs funded by this measure will prepare participants for initial employment, career advancement, continuing education, or entering a new profession, and thus provide pathways to rewarding career opportunities, especially for high school graduates.



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. 391, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 391, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1049 Ways and Means on S.B. No. 362**

The purpose and intent of this measure is to amend the conveyance tax law.

More specifically, this measure:

- (1) Increases the rate of the conveyance tax for condominiums and single family residences with a value of at least \$2,000,000, and for which the purchaser is ineligible for a county homeowner's exemption;
- (2) Exempts from the conveyance tax documents and instruments conveying real property subject to a government assistance program approved and certified by the Hawaii Housing Finance and Development Corporation and used exclusively for the provision of affordable housing for qualified persons who:
  - (A) Are residents of the State;
  - (B) Are owner-occupants or renter-occupants of the real property; and
  - (C) Own no other real property; and
- (3) Removes 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 written comments in support of this measure from Catholic Charities Hawaii, EAH Housing, and two individuals.

Your Committee received written comments in opposition to this measure from the Hawaii Association of REALTORS and Land Use Research Foundation of Hawaii.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Taxation, Hawaii Housing Finance and Development Corporation, Democratic Party of Hawaii Education Caucus, Grassroot Institute of Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Imua Alliance, Partners In Care, Tax Foundation of Hawaii, and two individuals.

Your Committee finds that conveyance tax revenues are a reliable source of funding for the Rental Housing Revolving Fund, which provides gap financing necessary for rental housing projects to feasibly be developed under the Low-Income Housing Tax Credit program. Your Committee further finds that greater access to this financing is necessary to increase the State's affordable housing inventory.

Your Committee has amended this measure by:

- (1) Providing two distinct conveyance tax exemptions for documents and instruments conveying real property:
  - (A) To a government assistance program qualified by the Hawaii Housing Finance and Development Corporation; and
  - (B) To owner-occupants or renter-occupants who own no other real property;
- (2) Removing the definition for "qualified persons" and references thereto;
- (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, in their written comments on the measure, Catholic Charities Hawaii, Partners In Care, and the Hawaii Appleseed Center for Law and Economic Justice have requested that the measure be amended to allocate ten percent of conveyance tax revenues for homeless services and supportive 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. 362, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 362, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1050 Ways and Means on S.B. No. 330**

The purpose and intent of this measure is to provide the Hawaii Housing Finance and Development Corporation with the right of first refusal for the development of certain state lands near rail transit stations.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority and Hawaii Housing Finance and Development Corporation.

Your Committee received written comments on the measure from the Office of Hawaiian Affairs, Department of Budget and Finance, Department of Hawaiian Home Lands, Department of Land and Natural Resources, and University of Hawaii.

Your Committee finds that the lack of affordable housing in the State is driven, in part, by the limited availability of land. Your Committee further finds that this measure will help to make otherwise unavailable lands available for mixed-use projects that incorporate housing and the original proposed purpose.

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 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. 330, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 330, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Aquino).

**SCRep. 1051 Ways and Means on S.B. No. 298**

The purpose and intent of this measure is to provide the Hawaii Emergency Management Agency with additional flexibility to carry out the agency's mission.

More specifically, this measure:

- (1) Authorizes the Hawaii Emergency Management Agency to:
  - (A) Acquire any real, personal, or mixed property for the agency's immediate or future use;
  - (B) Own, hold, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or dispose of any real, personal, or mixed property acquired; and
  - (C) Acquire by condemnation real property for the agency's immediate or future use; and
- (2) Excludes from the definition of "public lands" any lands to which the Hawaii Emergency Management Agency holds title.

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 Hawaiian Affairs and Hawaiian Electric Company.

Your Committee finds that by providing the Hawaii Emergency Management Agency with additional flexibility to carry out the agency's mission, this measure will help the agency to implement hazard mitigation efforts more efficiently and effectively.

Your Committee notes that in its written comments on this measure, the Office of Hawaiian Affairs expressed concern that enactment of this measure will facilitate the permanent alienation of public land trust lands from which the Office of Hawaiian Affairs receives a pro rata share. The Office of Hawaiian Affairs suggested amending this measure to include in the definition of "public lands" any lands to which the Hawaii Emergency Management Agency holds title that are crown and government lands commonly referred to as "ceded lands" and that were conveyed to the State by virtue of the Admissions Act. However, your Committee believes that the Office of Hawaiian Affairs' concerns would be best addressed by enactment of Senate Bill No. 1235, which, among other things, requires that the working group established by Act 226, Session Laws of Hawaii 2022, complete a final inventory of all ceded lands in the public land trust.

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. 298, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 298, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1052 Ways and Means on S.B. No. 278**

The purpose and intent of this measure is to honor the legacy of Prince Jonah Kuhio Kalaniana'ole.

Specifically, this measure requires certain public buildings and structures near mass transit projects and on Hawaiian home lands to display a portrait of Prince Jonah Kuhio Kalaniana'ole.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands and one individual.

Your Committee received written comments in opposition to this measure from the Center for Hawaiian Sovereignty Studies and one individual.

Your Committee finds that requiring certain public buildings and structures near mass transit projects and on Hawaiian home lands to display a portrait of Prince Jonah Kuhio Kalanianaʻole is an appropriate way to honor the Prince's legacy as the author of the Hawaiian Homes Commission Act.

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. 278, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 278, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 1053 Ways and Means on S.B. No. 1373**

The purpose and intent of this measure is to clarify the allowable revenues to be deposited into the Executive Office on Aging's Administrative Claiming Special Fund.

Your Committee received written comments in support of this measure from the Department of Health Executive Office on Aging and Department of Public Health Kupuna Caucus.

Your Committee finds that expanding Medicaid Administrative Claiming to include the Long-Term Care Ombudsman Program and the State Insurance Assistant Program will help support kupuna and persons with disabilities who need long-term services, and will bring more federal moneys into 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. 1373, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1054 Ways and Means on S.B. No. 1417**

The purpose and intent of this measure is to promote climate resiliency within the Kakaako and Kalaeloa Community Development Districts.

Specifically, this measure requires the Hawaii Community Development Authority to consider the impacts of climate change, sea level rise, and climate resilient development in the design and siting of buildings in the Kakaako and Kalaeloa Community Development Districts.

Your Committee received written comments in support of this measure from the Hawaii Community Development Authority, Office of Planning and Sustainable Development, Climate Protectors Hawaii, Hawaii's Thousand Friends, and three individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that the Kakaako Community Development District is threatened by the effects of climate change, including sea level rise, king tides, and heavy rainfall. Your Committee further finds that the lack of drainage infrastructure in the Kalaeloa Community Development District makes that district vulnerable to heavy rainfall and other effects of climate change. Accordingly, your Committee finds that development within these districts must recognize and plan for these impacts.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1417, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1055 Ways and Means on S.B. No. 752**

The purpose and intent of this measure is to require the Comptroller to identify state office buildings that can provide equitable telecommunication access to allow certain residents, including residents having disabilities, to participate remotely in legislative hearings.

Your Committee received written comments in support of this measure from the State Council on Developmental Disabilities.

Your Committee received written comments on this measure from the Office of Information Practices, Hawaii State Public Library System, Department of Accounting and General Services, and Disability and Communication Access Board.

Your Committee finds that the telecommunication access supported by this measure will help make the legislative process more accessible to the State's residents, including residents having intellectual or developmental disabilities and residents who live on neighbor islands.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 752, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1056 Ways and Means on S.B. No. 782**

The purpose and intent of this measure is to increase the amount of taro grown in the State.

More specifically, the measure:

- (1) Establishes a grant program within the Department of Agriculture to assist taro farmers in meeting the costs of cultivating taro for consumption, subject to certain specified terms and conditions; and
- (2) Appropriates unspecified amounts for the grant program.

Your Committee received written comments in support of this measure from the Department of Agriculture, Office of the Mayor of the County of Maui, Hawaii Farmers Union United, Hawaii Farm Bureau, Hawaii Alliance for Progressive Action, Food+ Policy Internship, and one individual.

Your Committee received written comments on this measure from the Department of the Attorney General.

Your Committee finds that this measure recognizes the critical importance of protecting and perpetuating taro farming as a traditional cultural practice and, accordingly, also finds a compelling public interest in providing grant funding to taro farmers to continue the traditional practice of taro farming in the State.

Your Committee has amended this measure by:

- (1) Inserting a list of standards with which grant applicants and recipients must comply, to address a constitutional concern raised by the Department of the Attorney General in its written comments;
- (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. 782, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 782, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1057 Ways and Means on S.B. No. 777**

The purpose and intent of this measure is to establish a financial incentive to reduce the number of cesspools in the State.

More specifically, this measure establishes a temporary income tax credit for the cost of upgrading or converting a qualified cesspool to a wastewater system approved by the Director of Health, or connecting to a sewerage system.

Your Committee received written comments in support of this measure from the Department of Health, State of Hawaii Climate Change Mitigation and Adaptation Commission, University of Hawaii, Environmental Caucus of the Democratic Party of Hawaii, Hawaii Association of REALTORS, and two individuals.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that cesspools are a major source of pollution to Hawaii's waters. Your Committee also finds that there are approximately eighty-three thousand cesspools in the State, discharging millions of gallons of untreated sewage into the groundwater every day. The sewage-polluted groundwater flows into drinking water sources, streams, and the ocean, harming public health and the environment, including beaches and coral reefs. Your Committee believes that cesspools should be phased out to eliminate threats to drinking water and recreational waters.

Your Committee has amended this measure by:

- (1) Making a technical amendment to clarify the certification of expenses used to claim the tax credit; 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. 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, 13; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 1058 Ways and Means on S.B. No. 744**

The purpose and intent of this measure is to effectively respond to an invasive species that is plaguing the State's coffee industry.

More specifically, the measure requires the Hawaii Invasive Species Council to:

- (1) Amend its administrative rules, by an unspecified date, to classify the fungal pathogen that causes coffee leaf rust as an invasive species; and
- (2) Expend any available moneys for mitigation efforts, research, and prevention or control actions with respect to coffee leaf rust.

Your Committee received written comments in support of this measure from the Department of Agriculture, Councilmember representing District 8 (North Kona) of the Hawaii County Council, Hawaii Coffee Association, Kona Coffee Farmers Association, Hawaii Farm Bureau, Kona Restoration Farm, Hawaii Coffee Growers Association, and five individuals.

Your Committee received written comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that previous efforts spearheaded by the Hawaii Invasive Species Council to mount a comprehensive response to the invasive, non-indigenous fungal pathogen that causes rapid ohia death resulted in effective mitigation of that threat, and that the requirements of this measure will facilitate similar efforts by the Council to effectively mitigate the threat posed by coffee leaf rust to the State's coffee 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 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. 744, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 744, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1059 Ways and Means on S.B. No. 725**

The purpose and intent of this measure is to require and appropriate moneys for the Department of Human Resources Development to submit an annual report to the Legislature on the telework policies of the executive branch.

Your Committee received written comments in support of this measure from the Department of Human Resources Development and Transform Hawaii Government.

Your Committee finds that the metrics and reports required by this measure will help the State assess the effectiveness of the Executive Branch Telework Program Guidelines.

Your Committee has amended this measure by:

- (1) Establishing requirements and appropriating an unspecified amount for a telework monitoring system to assess the productivity of telework employees; and
- (2) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

Your Committee estimates that a total appropriation of \$20,000,000 may be needed to implement the provisions of 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. 725, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 725, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (DeCoite).

**SCRep. 1060 Ways and Means on S.B. No. 712**

The purpose and intent of this measure is to improve the quality of interaction between incarcerated persons who have experienced trauma and adult corrections officers.

More specifically, the measure appropriates funds to Windward Community College to support a level I trauma-informed certification program for adult corrections officers, at no cost to the adult corrections officers.

Your Committee received written comments in support of this measure from the Judiciary, Department of Public Safety, Hawaii Correctional System Oversight Commission, Department of Health, Office of Wellness and Resilience of the Office of the Governor, University of Hawaii, United Public Workers, Hawaii Friends of Restorative Justice, University of Hawaii Professional Assembly, Hawaii Substance Abuse Coalition, and three individuals.

Your Committee finds that this measure's funding of a trauma-informed certification program for adult corrections officers will ensure that officers have the necessary skills to properly assess and interact with the significant proportion of inmates who have experienced trauma, and thus increase the likelihood that these inmates will connect with vital services, be less likely to commit disciplinary infractions, and experience improved rehabilitation and less recidivism.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$100,000 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. 712, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 712, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1061 Ways and Means on S.B. No. 948**

The purpose and intent of this measure is to reduce the damage caused by future natural disasters by mitigating the proliferation of albizia trees.

Specifically, this measure appropriates moneys to the Division of Forestry and Wildlife of the Department of Land and Natural Resources to coordinate the removal of invasive albizia trees that potentially threaten public and private land.

Your Committee received written comments in support of this measure from the University of Hawaii, Department of Land and Natural Resources, Hawaiian Electric, Hawaii Forest Industry Association, and five individuals.

Your Committee finds that the dangers posed by albizia trees were made clear in August 2014, when strong winds from Tropical Storm Iselle toppled thousands of albizia trees in Puna, blocking roads and disrupting power lines. Your Committee further finds that the disruption caused by the toppled albizia trees caused tens of thousands of people to be stranded for weeks without power and obstructed access by first responders to affected areas.

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. 948, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 948, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 1062 Ways and Means on S.B. No. 239**

The purpose and intent of this measure is to assist child care providers in obtaining accreditation.

More specifically, this measure:

- (1) Establishes the Child Care Accreditation Program to provide grants to child care providers who have committed to obtaining accreditation;
- (2) Extends the deadline for Preschool Open Doors service providers to commence and obtain accreditation; and
- (3) Appropriates funds for the Child Care Accreditation Program.

Your Committee received written comments in support of this measure from the Early Learning Board, Executive Office on Early Learning, Hawaii Association of Independent Schools, Hawaii Children's Action Network Speaks!, American Association of University Women of Hawaii, Early Childhood Action Strategy, and seven individuals.

Your Committee received written comments in opposition to this measure from one individual.

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

Your Committee finds that accreditation is among the most well-known measures of quality in early childhood education. However, obtaining accreditation is an expensive and time-consuming process. Your Committee further finds that supporting child care providers in their process to obtain accreditation will help to ensure the highest quality of child care in the State.

Your Committee requests that the need for additional grant award standards, as described in the written comments submitted by the Department of the Attorney General, be considered for inclusion by subsequent subject matter committees hearing this measure.

Your Committee has amended this measure by:

- (1) Authorizing the Child Care Accreditation Program to award grant funding to a child care provider that has committed to obtaining accreditation from an accrediting organization approved by the Director of Human Services;
- (2) Adding a new section to appropriate funds out of the child care grant program special fund for the purposes of the child care grant program; 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. 239, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 239, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1063 Ways and Means on S.B. No. 99**

The purpose and intent of this measure is to promote self-reliance within the State's agricultural industry.

More specifically, the measure:

- (1) Requires the Department of Agriculture to establish, implement, and administer a meat and poultry inspection program and submit an annual report to the Legislature on inspection program activities; and
- (2) Appropriates funds to the Department of Agriculture for the inspection program.

Your Committee received written comments in support of this measure from the Land Use Research Foundation of Hawaii, Hawaii Farmers Union United, Hawaii Cattlemen's Council, Hawaii Farm Bureau, Maui Chamber of Commerce, and one individual.

Your Committee received written comments on this measure from the Department of Agriculture.

Your Committee finds that instead of relying on the United States Department of Agriculture's Food Safety and Inspection Service under a cooperative agreement to inspect the safety and labeling of meat, poultry, and egg products produced in the State, Hawaii would benefit from having its own state-run inspection program, as established by this measure.

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. 99, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 99, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1064 Ways and Means on S.B. No. 73**

The purpose and intent of this measure is to authorize the Department of Agriculture to extend certain agricultural leases by an additional thirty years.

Your Committee received written comments in support of this measure from the Hawaii Farm Bureau, Land Use Research Foundation, Hawaii Crop Improvement Association, Hawaii Floriculture and Nursery Association, Maui County Farm Bureau, Local Food Coalition, Hawaii Cattlemen's Council, Ono Nut Farms, Panaewa Foliage, and nine individuals.

Your Committee received written comments on this measure from the Office of Hawaiian Affairs, Department of Agriculture, and Kupuna for the Moopuna.

Your Committee finds that this measure will help farmers having less than fifteen years remaining on their lease to obtain significant lease extensions, which will make it economically feasible for those individuals and entities to invest more capital into their farms and help to increase food production in Hawaii.

Your Committee acknowledges that the Office of Hawaiian Affairs has requested that the public land trust lands be excluded from this measure. In this regard, your Committee emphasizes its support for Senate Bill No. 1235, which, if enacted, would help to complete the long-awaited inventory of ceded lands.

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. 73, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 73, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1065 (Majority) Commerce and Consumer Protection on S.B. No. 668**

The purpose and intent of this measure is to:

- (1) Authorize the Governor to enter the State into the multi-state Physical Therapy Licensure Compact, which will allow a physical therapist licensed by a home state to practice under a multi-state licensure privilege in each party state; and
- (2) Require the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact.

Your Committee received testimony in support of this measure from the United States Department of Defense, Physical Therapy Compact Commission, and Hawaii Chapter of the American Physical Therapy Association Hawaii. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Board of Physical Therapy, and Grassroot Institute of Hawaii.

Your Committee finds that there is a chronic shortage of health care professionals, including physical therapists, in the State. This shortage has impacted the delivery of proper rehabilitation services, particularly on the neighbor islands. By joining a Compact of States who have enacted the same needed legislation, physical therapists and physical therapist assistants who are already properly licensed in other states would be allowed to quickly practice in Hawaii rather than waiting for the Board of Physical Therapy, who meets every other month, to review applications for physical therapist and physical therapist assistant licensure. As a result, this

measure would facilitate increased access to necessary physical therapy health care in the State, while maintaining regulatory safeguards.

Your Committee acknowledges the concerns raised in testimony that the Physical Therapy Licensure Compact requires applicants to undergo criminal background checks, but that the Department of Commerce and Consumer Affairs does not have the authority to conduct criminal background checks on applicants for physical therapist and physical therapist assistant licensure. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language requiring applicants for physical therapist or physical therapist assistant licensure to submit a full set of electronic fingerprints for the purpose of obtaining federal and state criminal history record checks;
- (2) Inserting language authorizing the Department of Commerce and Consumer Affairs to conduct criminal background checks on applicants for physical therapist or physical therapist assistant licensure; 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. 668, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 668, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Fukunaga).

**SCRep. 1066 Ways and Means on S.B. No. 945**

The purpose and intent of this measure is to regulate digital currency companies that do business in the State.

Your Committee received written comments in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Technology Development Corporation, and one individual.

Your Committee received written comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that while digital currency has grown in popularity and acceptance locally, nationwide, and globally, there is a lack of regulation of the industry. The new regulatory and licensing framework for digital currency companies, as proposed by this measure, may provide appropriate protection for Hawaii consumers while allowing digital currency to flourish.

Your Committee has amended this measure by:

- (1) Correcting references to certain federal laws;
- (2) Clarifying the different ranges of transactions subject to quarterly assessments;
- (3) Correcting certain internal statutory cross-references;
- (4) Changing the appropriation for the hiring of three full-time examiners to an unspecified amount; 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. 945, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 945, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1067 Ways and Means on S.B. No. 824**

The purpose and intent of this measure is to require commodities and manifested cargo requiring tug assistance to be manned by an existing, operational stevedoring company that is currently operating in the State.

Your Committee received written comments in support of this measure from the Inlandboatmen's Union of the Pacific Hawaii Region and numerous individuals.

Your Committee received written comments in opposition to this measure from Hawaiian Cement; Centerline Logistics; Island Energy Services; American Marine Corporation, Sause Bros., Inc.; and Aloha Marine Lines.

Your Committee received written comments on this measure from the Department of the Attorney General; Par Hawaii; Aloha Petroleum, LLC; and Hawaii Gas.

Your Committee finds that requiring that mooring lines from vessels requiring tug assistance for certain harbor operations be secured by a stevedoring company that is currently operating in the State will help ensure that these operations are performed by workers who are familiar with Hawaii's unique harbors and will help keep crews safe.

Your Committee has amended this measure by:

- (1) Making substantive amendments to clarify the relationship between the purpose of the measure and the subject matter expressed in the measure's title, as recommended in written comments from the Department of the Attorney General;
- (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. 824, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 824, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1068 Ways and Means on S.B. No. 965**

The purpose and intent of this measure is to promote the use of green transportation infrastructure throughout the State.

More specifically, this measure:

- (1) Requires the incorporation of green infrastructure into transportation system designs to achieve certain goals and objectives;
- (2) Defines “green infrastructure”;
- (3) Requires the Department of Transportation to endeavor to reduce temperatures and provide for cooler transit by incorporating green infrastructure in transportation system designs; and
- (4) Establishes the green transportation infrastructure task force to examine, evaluate, and develop best practices to guide the design, implementation, and maintenance of green transportation infrastructure.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; Department of Transportation; Department of Urban and Regional Planning of the University of Hawaii; Hawaii Climate Change Mitigation and Adaptation Commission; Office of Planning and Sustainable Development; University of Hawaii; Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund ; Hawaii Glaziers; Hawaii Tapers Market Recovery Trust Fund; International Union of Painters and Allied Trades, District Council 50; Maui Metropolitan Planning Organization; Painters Industry of Hawaii Labor Management Cooperation Trust Fund; Trees for Honolulu’s Future; and four individuals.

Your Committee received written comments on this measure from the Environmental Caucus of the Democratic Party of Hawaii.

Your Committee finds that the incorporation of green infrastructure into transportation system designs will help to beautify the State, decrease traffic noise, decrease temperatures, and improve the general well-being of residents of and tourists to the State.

Your Committee has amended this measure by:

- (1) Changing the dissolution date of the green transportation infrastructure task force to June 30, 2025;
- (2) Changing the effective date for sections 2 and 3 of this measure to June 30, 2052, and the effective date of the remaining provisions of this measure 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. 965, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 965, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Aquino).

**SCRep. 1069 Ways and Means on S.B. No. 1044**

The purpose and intent of this measure is to appropriate moneys to hire complex-based behavioral health specialists for Hawaii’s rural public schools.

Your Committee received written comments in support of this measure from the Department of Education, Hawaii Youth Services Network, Opportunity Youth Action Hawaii, and two individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Hawaii Association of School Psychologists.

Your Committee finds that increasing the behavioral health specialist workforce in the State’s rural public schools will help the Department of Education meet the needs of students who are experiencing trauma, grief, family separation, depression, and other crises.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$861,000 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. 1044, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1044, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1070 Ways and Means on S.B. No. 1068**

The purpose and intent of this measure is to address state planning policies relating to the physical environment, including shoreline resources.

Specifically, this measure:

- (1) Amends the Hawaii State Planning Act by:
  - (A) Including as a policy the promotion of a statewide beach assessment study and beach and shoreline restoration; and
  - (B) Providing that the pursuit of compatible relationships among activities, facilities, and natural resources should also take into account Native Hawaiian traditional practices mauka to makai; and
- (2) Appropriates moneys to the Office of Planning and Sustainable Development for the development of a statewide beach assessment study and a beach and shoreline restoration and conservation plan.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii Climate Change Mitigation and Adaptation Commission, University of Hawaii, and one individual.

Your Committee received written comments on this measure from the Office of Planning and Sustainable Development and Office of Hawaiian Affairs.

Your Committee finds that the State's beaches and shoreline areas are at risk from climate change, sea level rise, and coastal erosion. Your Committee further finds that the assessment developed pursuant to this measure will help agencies better understand these risks and plan to protect Hawaii's shorelines.

Your Committee has amended this measure by:

- (1) Clarifying that the statewide beach assessment study and shoreline restoration and conservation plan shall be submitted to the Legislature prior to the convening of the Regular Session of 2025;
- (2) Correcting a reference to fiscal year 2023-2024 in section 2 of 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. 1068, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1068, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1071 Ways and Means on S.B. No. 1076**

The purpose and intent of this measure is to increase voter knowledge and engagement.

Specifically, this measure:

- (1) Requires the Office of Elections to prepare and publish a digital voter information guide that meets certain accessibility standards;
- (2) Requires printed copies of the guide to be distributed to public libraries and members of the public upon request;
- (3) Requires the Office of Elections to mail with each primary election ballot a notice to voters that the digital voter information guide is available on the Office of Elections website; and
- (4) Makes an appropriation to the Office of Elections.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board, Community Alliance on Prisons, League of Women Voters of Hawaii, 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 Office of Elections.

Your Committee finds that the voter information guide proposed by this measure would create a more informed electorate and increase voter participation and engagement.

Your Committee has amended this measure by:

- (1) Adopting amendments requested by the Office of Elections to:
  - (A) Require the Attorney General and each county corporation counsel to translate their respective ballot question explanations into certain languages required under the federal Voting Rights Act and submit the explanations to the Office of Elections no later than seventy-five days before the general election;
  - (B) Clarify that physical copies of the digital voter information guide be distributed to public libraries for public viewing, rather than dissemination; and
  - (C) Remove the requirement that the Office of Elections print and mail a physical copy of the digital voter information guide to a voter upon request;

- (2) Clarifying that the explanation of a proposed constitutional amendment drafted by the Attorney General is the explanation currently required pursuant to section 11-118.5(b), 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. 1076, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1076, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1072 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 839**

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Electricity Reliability Surcharge Special Fund;
- (2) Require the Public Utilities Commission to establish reliability standards and interconnection requirements for all users, owners, or operators of the Hawaii electric system and determine the responsibility of costs associated with any reliability standards or inter-connection requirements;
- (3) Require the Public Utilities Commission to establish:
  - (A) The distinction between interconnection facilities and utility network upgrades;
  - (B) That the cost of interconnection facilities shall be the responsibility of the interconnection customer; and
  - (C) That the cost of utility network upgrades shall be the sole responsibility of the transmission provider;
- (4) Establish a timeline and requirements for interconnection procedures to be established by the Public Utilities Commission for certain utility-scale renewable energy projects;
- (5) Require implementation of the Hawaii Electricity Reliability Administrator Law upon establishment of the Hawaii Electricity Reliability Administrator Surcharge;
- (6) Beginning January 1, 2024, require the surcharge to be imposed on certain customers to cover the costs of the Administrator to be deposited into the Hawaii Electricity Reliability Surcharge Special Fund Subaccount;
- (7) Require the Public Utilities Commission to submit a report and assessment of the Hawaii Electric Reliability Administrator to the Legislature; and
- (8) Appropriate funds to be deposited into the Hawaii Electricity Reliability Surcharge Special Fund.

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 the Hawaiian Electric Company, Inc. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Ulupono Initiative.

Your Committees find that accelerating the development of renewable energy to reduce greenhouse gases is a high priority and that the Legislature has enacted numerous Acts to achieve this objective. The timely completion of grid-connected renewable energy projects will help the State achieve the targets and limits established through prior legislation. However, your Committees find that electric public utility companies are experiencing interconnection delays that increase development costs and extend renewable project timelines. Additionally, the State does not regulate interconnection costs, which results in the ratepayer bearing the full financial burden of both interconnection costs and utility network upgrades in the electricity rates. Your Committees believe that this measure will establish grid reliability standards, regulate the timely and transparent interconnection of utility-scale renewable energy projects, and help distinguish the cost responsibilities between interconnection facilities and utility network upgrades to assist the State in achieving its ambitious energy goals.

Your Committees have amended this measure by:

- (1) Clarifying the Hawaii Electricity Reliability Administrator surcharge shall be imposed on the bills of customers of investor-owned electric utility companies, rather than Hawaiian Electric customers;
- (2) Inserting a blank 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.

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. 839, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 839, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.  
Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 1073 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 1154**

The purpose and intent of this measure is to authorize government agencies to wheel electricity over the existing transmission lines of a third-party electric public utility, excluding member-owned cooperatives, that is produced by their own facilities from renewable energy sources to another government agency's facilities, subject to certain restrictions.

Your Committees received testimony in support of this measure from the Ulupono Initiative. Your Committees received testimony in opposition to this measure from Hawaiian Electric and International Brotherhood of Electrical Workers Local Union 1260. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, Life of the Land, and Sustainable Energy Hawai'i.

Your Committees find that due to rising energy costs, many state departments and agencies, particularly educational facilities, face severe cost shortfalls prompting a need for emergency appropriations. However, other state facilities generate a surplus of electricity from renewable resources that goes unused, despite being connected to the same electricity grid as other state facilities that need the electricity. Wheeling occurs when electric power is transmitted from a seller's power generation facility to a customer's power-consuming facilities over the existing transmission lines of a third-party electric public utility. By allowing intragovernmental wheeling, it may encourage government agencies that have excess land or rooftop space at one facility to generate renewable energy on site, even if it cannot all be used at the same location, to reduce the cost of energy overall for state facilities and benefit tax-payers. This measure allows wheeling by government agencies, which promotes energy efficiency.

Your Committees acknowledge the concerns raised in testimony that this measure could impair economic development and cause job displacement. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language clarifying that the Public Utilities Commission's docket to determine terms to ensure wheeling is done in the public interest may include:
  - (A) The timely execution of a workforce and community agreement with all stakeholders who may be economically impacted or displaced prior to authorization; and
  - (B) Maintaining compliance with conditions for certain federal funding; 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 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. 1154, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1154, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 1074 (Majority) Commerce and Consumer Protection on S.B. No. 691**

The purpose and intent of this measure is to:

- (1) Authorize the Chief Energy Officer of the Hawaii State Energy Office to adopt rules to enforce minimum efficiency standards for certain products and adopt or amend minimum efficiency standards in certain situations; and
- (2) Regulate the minimum efficiency standards for air purifiers, electric vehicle supply equipment, portable electric spas, residential ventilating fans, toilets, urinals, and water coolers.

Your Committee received testimony in support of this measure from the Honolulu Board of Water Supply, Ulupono Initiative, Blue Planet Foundation, and Hawai'i Energy. Your Committee received comments on this measure from the Hawaii State Energy Office, Plumbing and Mechanical Contractors Association of Hawaii, and Plumbing Manufacturers International.

Your Committee finds that information regarding appliance efficiency standards empowers consumers to make informed choices based on energy, water and financial considerations regarding the equipment. Appliance efficiency standards also protect consumers in the State from "dumping" by manufacturers who cannot sell less efficient products in markets where efficiency standards exist. This measure adds several appliances to the State's minimum appliance efficiency standards to decrease energy and water use and help consumers save money.

Your Committee notes the concerns raised in testimony that some of the appliance efficiency standards established by this measure reference industry standards that have recently been updated or do not match federal standards. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language exempting urinals and toilets designed and marketed exclusively for use in prisons and mental health care facilities from the appliance efficiency standards;
- (2) Clarifying that certain wall-mounted urinals shall have a maximum flush volume of 0.5 gallons per flush, rather than 0.125 gallons per flush;
- (3) Deleting a reference to the ENERGY STAR Program Requirements Product Specification for Water Coolers, Version 2.0, and replacing it with a reference to Version 3.0;
- (4) Clarifying that the provisions of this measure shall apply to appliances that are manufactured on or after January 1, 2025;

- (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 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. 691, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 691, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 1075      Judiciary on S.B. No. 435**

The purpose and intent of this measure is to:

- (1) Impose the penalty on both the person and the firm upon the finding of repeat violation of the state law governing wages and hours of employees on public works; and
- (2) Require each notice of violation to contain the names of the firm and the person, including sole proprietors, principle responsible managing employees, and all subordinate responsible managing employees.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Hawaii Operating Engineers Industry Stabilization Fund Political Action Committee. Your Committee received testimony in opposition to this measure from the Subcontractors Association of Hawaii. Your Committee received comments on this measure from General Contractors Association of Hawaii.

Your Committee finds that this measure seeks to prevent the circumvention of the law by entities that transfer key personnel to a separate company and continue bidding on new public works projects under a new name though they have been suspended from such bidding due to violations of chapter 104, Hawaii Revised Statutes. Your Committee notes concerns raised in the testimony of the Department of Labor and Industrial Relations regarding the definition of "person", and your Committee respectfully requests that this concern be considered as this measure moves forward in the legislative process.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 435, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1076      (Majority) Judiciary on S.B. No. 837**

The purpose and intent of this measure is to authorize the Department of Business, Economic Development, and Tourism to acquire real, personal, or mixed property; to clear, improve, and rehabilitate and to sell, assign, exchange, transfer, convey, lease, dispose, or encumber the property; and acquire property by condemnation.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism. Your Committee received testimony in opposition to this measure from UNITE HERE Local 5. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that normally, acquisitions conducted by the Department of Business, Economic Development, and Tourism are subject to approval by the Board of Land and Natural Resources and a rigorous due diligence process including title review, appraisal, land survey and environmental hazards study, and possible mitigation. This measure would provide the Department of Business, Economic Development, and Tourism with the discretion to conduct its due diligence in a manner it deems fit and appropriate under the circumstances.

Your Committee has amended this measure by inserting an effective date of March 22, 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. 837, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 837, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1077      (Majority) Judiciary on S.B. No. 875**

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 Committee received testimony in support of this measure from the Department of Planning and Permitting of the City and County of Honolulu and one member of the Honolulu City Council. Your Committee received testimony in opposition to this measure from four individuals. Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that currently, the counties must go through an arduous process to enforce violations of land use ordinances and building codes. The counties must issue a notice of violation, allow time for the violator to cure, then if the violator fails to comply, impose a civil fine. Once the fine accrues to a certain amount, the counties may place a lien on the property. However, if the violator continues to be noncompliant, eventually the county will pursue a judicial foreclosure, which is a lengthy and costly process. This measure will provide the counties with a more viable, efficient, and effective method to collect liens on properties for civil fines.

Your Committee has amended this measure by adding language that requires the counties to sell property at not less than the market value of similarly situated properties and that all revenues received from the sale that exceed the amount of the unpaid civil fines be refunded to the property owner.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 875, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 875, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1078      Judiciary on S.B. No. 1513**

The purpose and intent of this measure is to require a public agency board to report any discussion or final action taken during an executive meeting; provided that such disclosure is not inconsistent with the purpose of convening the executive meeting and gives the board discretion to maintain confidentiality.

Your Committee received testimony in support of this measure from the Office of Information Practices.

Your Committee finds that a state government board is not required to summarize its discussions for the public, report actions taken, or indeed say anything about what happened in its executive session when it reconvenes in the open meeting at which the executive meeting is held. While some boards routinely summarize their executive sessions for the public, many others do not. Your Committee further finds that current law allows government boards to go into a closed executive session for a limited list of purposes, but the minutes of an executive session can only be withheld to the extent necessary to protect the purpose of the executive session and does not require a board to summarize its discussions for the public. Your Committee believes that requiring government boards to report their discussions and final actions when they reconvene to the public portion of the meeting will promote public access without undermining a board's ability to use executive sessions when authorized to do so. Therefore, this measure requires government boards to report and make available to the public, discussions and final actions taken by the board while preserving the boards ability to maintain confidentiality for as long as disclosure would defeat the purpose of convening the executive 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. 1513 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1079      (Majority) Judiciary on S.B. No. 1**

The purpose and intent of this measure is to:

- (1) Repeal the requirement that abortions, including aspiration abortions performed by advance practice registered nurses, be performed at certain locations;
- (2) Clarify that a patient has the right to choose to obtain an abortion, or, if necessary to protect the life or health of the patient, to terminate the pregnancy and the State shall not deny or interfere with these rights;
- (3) Define "abortion" and "nonviable fetus";
- (4) Prohibit a covered entity from disclosing certain communication or information relating to reproductive health care services;
- (5) Prohibit the issuance of a subpoena in connection with an out-of-state proceeding relating to reproductive health care services legally performed in the State;
- (6) Prohibit agencies from providing information or expending resources in the furtherance of interstate investigations or proceedings relating to reproductive health care services;
- (7) Prohibit the State from penalizing, prosecuting, or otherwise taking adverse action based on pregnancy outcomes or for aiding or assisting a pregnant individual accessing reproductive health care services;
- (8) Require the Governor to deny any demand for surrender of a person charged with a crime involving reproductive health care services unless the conduct constitutes a crime in the State;
- (9) Enumerate laws contrary to public policy and prohibit their application as rules of decision in the courts;
- (10) Prohibit the issuance of a summons for persons to testify in another state with regard to lawful reproductive health care services;
- (11) Clarify under various licensing statutes that the provision or assistance in receipt or provision of medical, surgical, pharmaceutical, counseling, or referral services related to the human reproductive system cannot form a basis for disciplinary action;
- (12) Prohibit the enforcement of a judgment or order arising from a foreign penal civil action or other penal law with respect to reproductive health care services; and
- (13) Amend the definition of "medical care and services" so that a minor may consent to receive, without any other person's consent, surgery or any treatment to induce abortion.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of Human Services; Hawai'i Civil Rights Commission; Hawai'i State Commission on the Status of Women; one member of the Hawai'i County Council; Women's Caucus of the Democratic Party of Hawai'i; Hawaii Friends of Civil Rights; Stonewall Caucus of the Democratic

Party of Hawai'i; American Association of University Women of Hawaii; Imua Alliance; AlohaCare; Hawaii Medical Services Association; Hawai'i Section of the American College of Obstetricians and Gynecologists; Planned Parenthood Alliance Advocates - Hawai'i; Early Childhood Action Strategy; Hawaii Academy of Physician Assistants; Patsy T. Mink Political Action Committee; Hawaii Medical Association; Kaiser Permanente Hawai'i; Hawai'i Women Lawyers; Hawaii Maternal and Infant Health Collaborative; Healthcare Association of Hawaii; Hawai'i State Center for Nursing; Hawai'i State Coalition Against Domestic Violence; Unite Here! Local 5; Papa Ola Lokahi; Hawai'i Association of Professional Nurses; Japanese American Citizens League; Fujiwara and Rosenbaum, LLC; Pride at Work – Hawaii; and fifty-three individuals. Your Committee received testimony in opposition to this measure from Hawaii Family Forum and one individual. Your Committee received comments on this measure from the Hawaii Medical Board and one individual.

Your Committee finds that the people of the State have a long tradition of protecting an individual's right to privacy and bodily autonomy independently of, and more broadly than, the United States Constitution. In 1970, Hawai'i became the first state in the nation to decriminalize abortion with the enactment of Act 1, Session Laws of Hawaii 1970. In 1978, the 1978 Hawaii State Constitutional Convention proposed, and the electorate approved, an amendment to explicitly codify the right to privacy in article I, section 6, of the Hawaii State Constitution. However, your Committee further finds that existing developments in the legal landscape threaten the State's policy to protect an individual's right to privacy and personal autonomy over their body within state boundaries. In June 2022, the Supreme Court of the United States held in *Dobbs v. Jackson Women's Health Organization*, 142 S.Ct. 2228 (2022), that the United States Constitution does not confer a right to an abortion. *Dobbs* overrules *Roe v. Wade*, 410 U.S. 113 (1973), and *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), and the nearly fifty years of federal precedent regarding reproductive rights. The impact of *Dobbs* has resulted in many states either banning or severely restricting access to abortion.

Your Committee also finds that during the previous administration, Governor Ige issued Executive Order 22-5 on October 11, 2022, which outlined the Governor's policy to limit cooperation with other states in investigations, proceedings, or warrants involving the provision of reproductive health care services in the State, provided that the provision of the reproductive health care service is legal in the State. This measure codifies and expands on that policy.

Your Committee has amended this measure by:

- (1) Adding language to the legislative findings to support the measure;
- (2) Specifying that a licensed physician assistant may provide medication or aspiration abortion care in the first trimester of pregnancy;
- (3) Specifying that the State shall not deny or interfere with a pregnant person's right to (a) choose to obtain an abortion or (b) if necessary to protect the life or health of the pregnant person, to terminate a pregnancy;
- (4) Specifying that a covered entity, as defined in title 45 Code of Federal Regulations section 160.103, is not prohibited from disclosing communication or information relating to reproductive health care services as authorized under the Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, and federal regulations promulgated thereunder;
- (5) Excepting a warrant issued by a court, government agency, or legislative body of another state commanding the production, copying, or inspection of medical records relating to reproductive health care services from the lawful sharing of medical records and applying these criteria to subpoenas;
- (6) Specifying that no court or clerk of a court shall order the issuance of a subpoena requested by an officer, appointed according to the laws or usages of another state or government, or by any court of the United States or of another state or government, in connection with an out-of-state or interstate investigation or proceeding relating to reproductive health care services legally performed in the State;
- (7) Specifying that agencies are prohibited from providing information or expending resources in the furtherance of out-of-state or interstate investigations or proceedings upon a person or entity paying for or assisting in paying for reproduction health care services in the State;
- (8) Deleting language that would have specified that the Governor is not required to deny any demand for surrender if the person who is the subject of the demand for surrender was physically present in the requesting state at the time of the commission of the alleged crime and thereafter fled from that state, and instead specifying that the Governor is not required to deny any demand for surrender made under Article IV, section 2, of the United States Constitution;
- (9) Specifying that a law of another state authorizing a civil action or criminal prosecution based on a person paying for reproductive health care services is contrary to the public policy of the State;
- (10) Specifying that a law of another state authorizing a civil action or criminal prosecution based on certain reproductive health care services is contrary to the public policy of the State in accordance with the laws of the State;
- (11) Specifying that no judge shall issue a summons in a case where prosecution is pending, or where a grand jury investigation has commenced or is about to commence for a criminal violation of a law of another state involving paying for reproductive health care services; and
- (12) Making 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. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 2 (Gabbard, Awa). Excused, none.

**SCRep. 1080      Judiciary on S.B. No. 735**

The purpose and intent of this measure is to establish that the public auction requirement for the disposition of water rights shall not be required for a lease of water for commercial kalo cultivation.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawai'i Youth Food Council. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that kalo is a significant staple crop to the people of Hawai'i for its nutritional density and cultural properties. Your Committee believes that increased kalo production will allow for a greater cultural connection to traditional Hawaiian customs. However, the existing water leasing process imposes burdensome requirements on water lease applicants, especially smaller agricultural users such as kalo farmers. This measure will promote kalo production and reduce uncertainty for applicants by exempting water leases for commercial taro cultivation from the public auction requirement.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 735, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1081      Judiciary on S.B. No. 1122**

The purpose and intent of this measure is to require nominees for the position of Deputy Director, First Deputy, or Deputy Chair, as the case may be, of principal departments to be subject to advice and consent of the Senate.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that nominees for the positions of Deputy Director, First Deputy, and Deputy Chair should be subject to the advice and consent of the Senate, and such process should be codified in law. These positions are key leadership roles, and therefore hold significant authority and influence, both in executing the core duties of the departments and also in the executive branch as a whole. Codifying the practice of advice and consent for these positions would absolve any legal ambiguity as to the process and ensure that the nominees also are worthy and knowledgeable to execute the duties and responsibilities of the departments.

Your Committee has amended this measure by:

- (1) Adding language to require multiple deputy directors, first deputies, and deputy chairs, as the case may be, for each department that has multiple individuals who serve in the same role to also be subject to the advice and consent of the Senate;
- (2) Adding language that requires a person to file a disclosure of financial interest within thirty days of a person's nomination to any state position enumerated in section 84-17(d), Hawaii Revised Statutes, that is subject to the advice and consent of the Senate; 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. 1122, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1122, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1082      Judiciary on S.B. No. 1230**

The purpose and intent of this measure is to:

- (1) Establish the crime of carrying a firearm in a sensitive location or on the private property of another without authorization;
- (2) Define "sensitive location";
- (3) Require the Attorney General to publish an annual report on licenses to carry firearms;
- (4) Require a person carrying a firearm in public pursuant to a license to maintain insurance coverage;
- (5) Establish a duty to maintain possession of a license while carrying a firearm;
- (6) Establish a duty to disclose that a person is carrying a firearm when stopped by a law enforcement officer;
- (7) Amend section 134-1, Hawaii Revised Statutes, to add definitions for "concealed", "locked container", and "unconcealed", and amend the definition of "crime of violence" to include additional crimes;
- (8) Prohibit issuing authorities from issuing permits to acquire the ownership of a firearm to any person where the issuance would not be in the interest of the public health, safety, or welfare because the person is found to be lacking the essential character or temperament necessary to be entrusted with a firearm;
- (9) Require issuing authorities to consider the risks associated with firearms in the home and consider the likelihood an applicant would bring the firearm outside of the home to engage in violence or carry unlawfully in public;
- (10) Add a definition of "enclosed container" for purposes of the transport of lawfully acquired pistols and revolvers relating to hunting game mammals;
- (11) Set requirements for applications for a license to carry a concealed firearm;



- (12) Establish an appeals process for the denial or revocation of an application for a permit to acquire the ownership of a firearm or to carry a concealed firearm;
- (13) Set revocation conditions for licenses to carry concealed firearms;
- (14) Require firearms be kept in a locked container and out of plain view when in an unattended vehicle and establish penalties;
- (15) Allow county police departments to conduct criminal history record checks for licenses to carry a firearm; and
- (16) Establish penalties for violations.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Department of Transportation; University of Hawai'i System; Hawai'i State Public Library System; one member of the Hawai'i County Council; Brady Hawaii; Hawaii Bankers Association; Everytown for Gun Safety; Moms Demand Action for Gun Sense in America; Students Demand Action for Gun Sense in America; Island Naturals Market and Deli; Stonewall Caucus of the Democratic Party of Hawai'i; Church of the Crossroads; Healthcare Association of Hawaii; Hawaii Family Support Institute; Indivisible Hawaii; and more than three hundred forty individuals. Your Committee received testimony in opposition to this measure from the National Rifle Association of America, Hawaii County Game Management Advisory Commission, Pu'uoloa Rifle and Pistol Club, and more than one hundred twenty-five individuals. Your Committee received comments on this measure from the Honolulu Police Department, Hawai'i Primary Care Association, and two individuals.

Your Committee finds that, pursuant to article IX, sections 1 and 10, of the Constitution of the State of Hawai'i, the State is obligated to protect the health and safety of the public. Your Committee further finds that Hawai'i's firearms laws are an important reason that Hawai'i leads the nation in preventing incidents of gun violence. Your Committee recognizes that, in *New York State Rifle & Pistol Association, Inc. v. Bruen*, 142 S. Ct. 2111 (2022), the United States Supreme Court held that the public carrying of firearms "could be prohibited consistent with the Second Amendment" in "sensitive places". This measure will protect the public health and safety in a manner consistent with the Second Amendment of the Constitution of the United States.

Your Committee has amended this measure by:

- (1) Adding language to the legislative findings to support the measure;
- (2) Specifying that "private property of another person without authorization" means residential, commercial, industrial, agricultural, institutional, or undeveloped property that is privately leased, unless:
  - (A) The owner, lessee, operator, or manager of the property has provided express authorization to carry a firearm on the property or premises to the person carrying a concealed firearm pursuant to a license issued under section 134-9, Hawaii Revised Statutes, or in accordance with title 18, United States Code section 926B or 926C;
  - (B) The owner, lessee, operator, or manager of the property clearly and conspicuously posts a sign at the entrance of the building or on the premises indicating that carrying firearms is authorized on that property or premises; or
  - (C) The person carrying a concealed firearm pursuant to a license issued under section 134-9, Hawaii Revised Statutes, or in accordance with title 18, United States Code section 926B or 926C is an owner, lessee, operator, or manager of the property, including but not limited to an ownership interest in a common element or limited common element of the property;
- (3) Including adjacent areas and parking areas in the definition of all sensitive locations;
- (4) Specifying that "sensitive location" includes:
  - (A) Research facilities that are part of a public or private college or university;
  - (B) A shelter or residential facility operated by a government entity or a charitable organization serving adults, including but not limited to unhoused adults; and
  - (C) A voter service center, place of deposit, or appurtenance to a voter service center or place of deposit, including any area designated for voters waiting to vote, routes of access, and any other areas specified in section 11-132, Hawaii Revised Statutes, and any area within a two hundred foot radius from the perimeter of those locations;
- (5) Clarifying that "sensitive location" includes a bar, restaurant, or establishment issued a license for on-premise consumption of liquor;
- (6) Requiring the Attorney General to publish the number of violations of sensitive location restrictions in the annual report on licenses to carry;
- (7) Specifying that mandatory insurance coverage for licensees is effective one year after the Insurance Commissioner makes a formal determination that suitable policies are commercially available;
- (8) Adding language that requires the mandatory insurance coverage to include negligent storage of a firearm;
- (9) Adding language stating that nothing in chapter 134, Hawaii Revised Statutes, shall be construed to affect the authority of any county to impose requirements relating to firearms that exceed the statewide provisions established, including but not limited to prohibitions against carrying or possessing a firearm in additional locations or premises within that county;
- (10) Adding language to provide qualified immunity to physician assistants and advanced practice registered nurses who provide information on permit or license applicants;

- (11) Adding language specifying that all provisions in sections 134-2 and 134-9, Hawaii Revised Statutes, that state that a permit or license "shall" be granted shall be construed as discretionary, rather than mandatory, in the event the Attorney General certifies that the United States Supreme Court has overruled the holding of *New York State Rifle & Pistol Association, Inc. v. Bruen*, 142 S.Ct. 2111 (2022); and
- (12) Making 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. 1230, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1230, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Gabbard). Noes, none. Excused, 1 (Awa).

**SCRep. 1083 (Joint/Majority) Commerce and Consumer Protection and Ways and Means on S.B. No. 669**

The purpose and intent of this measure is to:

- (1) Establish regulations for the cultivation, sale, and personal use of specified small amounts of cannabis;
- (2) Decriminalize and regulate specified small amounts of cannabis for personal use; and
- (3) Establish taxes for cannabis sales.

Your Committees received testimony in support of this measure from the Office of the Public Defender; Aloha Green Holdings, Inc.; Big Island Grown Dispensaries; Democratic Party of Hawai'i Education Caucus; Green Aloha, Ltd.; Hawai'i Cannabis Industry Association; Manoa Botanicals, LLC; Marijuana Policy Project; Imua Alliance; Drug Policy Forum of Hawai'i; and over three hundred individuals. Your Committees 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; Cannabis Society of Hawai'i; Coalition for a Drug-Free Hawaii; Hawaii Substance Abuse Coalition; Hawai'i Public Health Institute; Hawaii Family Forum; Hawaii Catholic Conference; Smart Approaches to Marijuana Hawaii; Oahu Cannabis Farms Alliance; Pakaloha Care Clinic; Te Awa Rivers of Hope House, Inc.; Independent and Sovereign Nation State of Hawai'i; Maile Cannabis Clinic; and forty-eight individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, Department of Taxation, Tax Foundation of Hawaii, and Reason Foundation.

Your Committees find that there is a nationwide movement to legalize the medical and recreational use of cannabis. As of 2022, thirty-seven states, including Hawaii, and four United States territories allow the use of cannabis for either or both medical and personal purposes. Further, many of these states have decriminalized cannabis. The legalization of cannabis for personal or recreational use is the natural, logical, and reasonable outgrowth of the current science and attitude towards cannabis. Additionally, cannabis cultivation and sales hold potential for economic development, increased tax revenues, and reduction in crime. This measure establishes the framework to legalize and regulate cannabis for personal use, while promoting public health and safety.

Your Committees acknowledge the concerns raised in testimony from multiple stakeholders that this measure, as currently drafted, lacks certain features that could impede the transition to legalized personal use of cannabis and the successful regulation of the personal use cannabis industry. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language establishing a cannabis manufacturing facility license;
- (2) Clarifying the definition of "personal use" of cannabis to specify the amounts of cannabis plant material, cannabis concentrate, or other cannabis products with a certain amount of tetrahydrocannabinol that an eligible person may possess;
- (3) Clarifying that cannabis advertising shall be prohibited within one thousand feet of a youth-centered area;
- (4) Inserting language authorizing cannabis cultivation facility licensees, retail cannabis store licensees, cannabis testing facility licensees, and cannabis manufacturing facility licensees to transport cannabis and cannabis products to other licensees;
- (5) Inserting language authorizing cannabis cultivation facility licensees, retail cannabis store licensees, and cannabis manufacturing facility licensees to sell or wholesale cannabis to other licensees;
- (6) Inserting language authorizing:
  - (A) A cannabis cultivation facility licensee to establish one cultivation facility that shall be not larger than five thousand square feet of total indoor or outdoor canopy space;
  - (B) A retail cannabis store licensee to establish not more than two retail cannabis stores; and
  - (C) A manufacturing facility licensee to establish not more than two cannabis manufacturing facilities;
- (7) Clarifying that a person may have an interest in more than one license established by this measure, but shall not have an interest in more than one license in each category; provided that no person granted a cannabis testing facility license or a dual use cannabis license shall have an interest in any other license established by this measure;
- (8) Inserting language requiring existing medical cannabis dispensaries to submit to and obtain approval from the Department of Health, a medical preservation plan prior to operating as a dual use cannabis dispensary;
- (9) Clarifying that a license shall be issued no later than one hundred twenty days, rather than thirty days, after the agency's receipt of an application for a license;

- (10) Inserting language clarifying that this measure shall not be construed to prevent an employer from refusing to hire or taking an adverse employment action against a person because of the person's violation of policies restricting the use of cannabis or working while under the influence of cannabis;
- (11) Inserting language clarifying that a contract is not void or voidable as against public policy if it pertains to lawful activities authorized by this measure;
- (12) Inserting language establishing civil penalties against any person who intentionally operates a cannabis cultivation facility, cannabis manufacturing facility, cannabis testing facility, dual use cannabis dispensary, or retail cannabis store without a license;
- (13) Updating section 1 to reflect its amended purpose; and
- (14) 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. 669, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 669, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4; Ayes with Reservations (Richards). Noes, none. Excused, 1 (Fukunaga).

Ways and Means: Ayes, 10; Ayes with Reservations (Aquino, Wakai, Fevella). Noes, 2 (Inouye, Moriwaki). Excused, 1 (Shimabukuro).

**SCRep. 1084 (Joint/Majority) Ways and Means and Judiciary on S.B. No. 211**

The purpose and intent of this measure is to ensure that employment, work, and pay that are eligible for the purpose of calculating public employee retirement benefits include retroactive reinstatement, retroactive rescission of suspension, retroactive pay differential, and back pay that are restored to an employee pursuant to a final adjudication of a court of competent jurisdiction.

Your Committees received written comments in support of this measure from the Department of Human Resources of the City and County of Honolulu, Hawaii Fire Fighters Association, Hawaii Government Employees Association, Hawaii State Teachers Association, State of Hawaii Organization of Police Officers, University of Hawaii Professional Assembly, and United Public Workers.

Your Committees received written comments on this measure from the Employees' Retirement System.

Your Committees find that including a public employee's retroactive reinstatement, retroactive rescission of suspension, retroactive pay differential, and back pay in determining retirement benefits is appropriate. Your Committee believes that enumerating this inclusion in statute will help to avoid potential uncertainties.

Your Committees have amended this measure by 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. 211, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 211, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 12. Noes, 1 (Fevella). Excused, none.

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1085 (Joint) Ways and Means and Judiciary on S.B. No. 300**

The purpose and intent of this measure is to prohibit expenditures of public moneys for improvements of lands not owned or leased by the State, subject to exceptions for certain legislative appropriations and for grants made pursuant to Chapter 42F, Hawaii Revised Statutes.

Your Committees received written comments in opposition to this measure from the Department of Land and Natural Resources.

Your Committees find that public moneys are held for the benefit of the public. Your Committees believe that placing certain limitations on the expenditure of those moneys, as proposed by this measure, will ensure that those moneys are used for public purposes.

Your Committees have amended this measure by exempting from the measure's prohibition:

- (1) Any expenditure for a project with the purpose of natural or cultural resource management; and
- (2) Any state grant.

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. 300, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 300, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 13; Ayes with Reservations (Kim). Noes, none. Excused, none.

Judiciary: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1086 (Joint/Majority) Ways and Means and Commerce and Consumer Protection on S.B. No. 459**

The purpose and intent of this measure is to appropriate moneys for the administration of the zero-emission vehicle fueling system rebate program.

Your Committees received written comments in support of this measure from Servco Pacific, Inc. and Alliance of Automotive Innovation.

Your Committees received written comments on this measure from the Public Utilities Commission.

Your Committees find that the appropriations made by this measure are necessary to ensure the proper administration of the zero-emission vehicle fueling system rebate program.

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. 459, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 459, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

Commerce and Consumer Protection: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1087 (Joint/Majority) Ways and Means and Judiciary on S.B. No. 498**

The purpose and intent of this measure is to require the establishment of, provide funding for, and require legislative reports regarding a program, led by the Department of Public Safety, to conduct random inspections of shipping containers for illegal fireworks and explosives.

Your Committees received written comments in support of this measure from the Department of Law Enforcement, Pearl City Neighborhood Board No. 21, Hawaiian Humane Society, and four individuals.

Your Committees received written comments on this measure from the Department of the Attorney General; Department of Budget and Finance; Department of Transportation; Department of the Prosecuting Attorney of the City and County of Honolulu; Matson Navigation Company, Inc.; Hawaii Harbor Users Group; and Young Brothers, LLC.

Your Committees find that the use of illegal fireworks is a persistent problem in the State. Your Committees believe that the program proposed by this measure may be effective in addressing this problem and preventing the use of illegal fireworks.

Your Committees have amended this measure by:

- (1) Inserting certain references to the Department of Law Enforcement, in anticipation of the transfer on January 1, 2024, to that department of certain powers and duties currently exercised by the Department of Public Safety;
- (2) Providing that any additional inspections shall be conducted by members of an appropriate bargaining unit who are subject to Chapter 89, Hawaii Revised Statutes, and not by individuals who are contracted or subcontracted by the Department of Public Safety or Department of Law Enforcement, as the case may be;
- (3) Amending the definitions of "aerial devices" and "fireworks" within state fireworks law;
- (4) Changing the appropriation from \$1,000,000 to an unspecified amount 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. 498, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 498, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1088 (Joint) Ways and Means and Judiciary on S.B. No. 975**

The purpose and intent of this measure is to regulate electronic smoking devices and e-liquids in the same manner as traditional tobacco products.

More specifically, the measure:

- (1) Establishes the criminal offense of unlawful shipment of tobacco products;
- (2) Amends the definition of "tobacco products," as used in the State's cigarette tax and tobacco tax law, to include electronic smoking devices and e-liquids, thereby:
  - (A) Subjecting electronic smoking devices and e-liquids to the excise tax on tobacco products;
  - (B) Requiring retailers of electronic smoking devices or e-liquids to obtain a retail tobacco permit to sell, possess, keep, acquire, distribute, or transport these items;

- (C) Prohibiting persons from engaging in the business of a wholesaler or dealer of electronic smoking devices or e-liquids without first obtaining a license from the Department of Taxation; and
- (D) Applying other requirements of the cigarette tax and tobacco tax law to electronic smoking devices and e-liquids;
- (3) Increases the license fee for persons engaged as wholesalers or dealers 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) Repeals various statutory provisions relating to electronic smoking devices, to avoid conflict with taxation and regulation under the cigarette tax and tobacco tax law.

Your Committees received written comments in support of this measure from the Department of the Attorney General; Department of Health; Coalition for a Tobacco-Free Hawaii Youth Council; Hawaii COPD Coalition; Keiki Injury Prevention Coalition; We Are One, Inc.; Hawaii Public Health Institute; Hawaii Primary Care Association; American Heart Association; Student Health Advisory Council of the University of Hawaii at Manoa; Parents for Public Schools of Hawaii; Hawaii Dental Association; Hawaii Community Foundation; Campaign for Tobacco-Free Kids; and numerous individuals.

Your Committees received written comments in opposition to this measure from the Hawaii Smokers Alliance, Aloha Petroleum, Minit Stop, Par Hawaii, National Taxpayers Union, and Americans for Tax Reform.

Your Committees received written comments on this measure from the Department of Taxation, Tax Foundation, Reason Foundation, and Tax Foundation of Hawaii.

Your Committees recognize the dramatic increase in the use of electronic smoking devices, or “vaping,” by Hawaii’s youth, and the lack of a state tobacco tax on electronic smoking devices and e-liquids. Your Committees find that the State has a substantial interest in reducing the number of individuals of all ages who use tobacco products, and a particular interest in protecting adolescents from the harms of tobacco dependence, including associated illnesses and premature death. Your Committees believe that this measure’s classification of electronic smoking devices and e-liquids as tobacco products will provide parity in the pricing and regulation of these products and ultimately encourage youth to make healthier choices by providing financial disincentives for purchasing these products.

Your Committees have amended this measure by:

- (1) Deleting the section of the measure that repealed section 328J-11.5, Hawaii Revised Statutes, which provides that state law preempts and voids all local ordinances or regulations that govern the sale of cigarettes, tobacco products, and electronic smoking devices and conflict with Chapter 328J, Hawaii Revised Statutes, to address concerns that the repeal of this section would result in fragmented regulation of cigarette, tobacco product, and electronic smoking device sales across the State; 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. 975, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 975, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).  
 Judiciary: Ayes, 5. Noes, none. Excused, none.

#### **SCRep. 1089 (Joint) Ways and Means and Commerce and Consumer Protection on S.B. No. 1035**

The purpose and intent of this measure is to amend the general excise tax law.

More specifically, this measure exempts from the general excise tax amounts received by a hospital, infirmary, medical clinic, health care facility, pharmacy, or a medical practitioner for health care-related goods and services purchased under Medicaid, Medicare, or TRICARE.

Your Committees received written comments in support of this measure from the Office of the Mayor of the County of Hawaii; University of Hawaii; AARP Hawaii; Abinsay Pediatrics; Ahahui o na Kauka; Community First Hawaii; East Hawaii Independent Physicians Association; Hawaii Association of Professional Nurses; Hawaii Family Caregiver Coalition; Hawaii Independent Physicians Association; Hawaii Institute for Pain; Hawaii Medical Association; Hawaii Nurses Association-OPEIU Local 50; Hawaii Physician Shortage Crisis Task Force; Hawaii Provider Shortage Crisis Task Force; Hawaii Radiological Society; Hawaii Substance Abuse Coalition; Joyful Living, LLC; Maui Chamber of Commerce; Maui Lani Physicians and Surgeons; Pacific Radiology Group; Peter A. Matsuura, M.D.; Philippine Medical Association of Hawaii, and thirty-two 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 Taxation, Grassroot Institute of Hawaii, Hawaii Dental Service, Hawaii Society of Naturopathic Physicians; and Tax Foundation of Hawaii.

Your Committees find that, under the existing general excise tax law, there is an incongruity in the way medical service providers are treated. Your Committees also find that medical services rendered at a nonprofit hospital, infirmary, or sanitarium are exempt from the general excise tax, whereas the same services rendered by individual or group practices or clinics are fully taxable. Your Committees further find that government programs, such as Medicare, Medicaid, and TRICARE, do not compensate for the tax differential, leading some health care providers to bear additional economic costs.

Your Committees have amended this measure by:

- (1) Adding a sunset date of January 1, 2026; 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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1035, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1035, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1090 (Joint) Ways and Means and Judiciary on S.B. No. 1280**

The purpose and intent of this measure is to stabilize and increase funding for the Tobacco Enforcement Unit within the Department of the Attorney General.

More specifically, this measure increases the:

- (1) Amount of funds that the Tobacco Enforcement Special Fund may carry over at the end of each fiscal year;
- (2) Cigarette tax stamp fee and the percentage of that fee allotted to the Tobacco Enforcement Special Fund; and
- (3) Sum of moneys received from the tobacco settlement as set forth in sections 28-15(c), 245-26(a), and 328L-2(a), Hawaii Revised Statutes.

Your Committees received written comments in support of this measure from the Department of the Attorney General, Department of Health, Department of Taxation, American Cancer Society Cancer Action Network, Hawaii Public Health Institute, and Hawaii Primary Care Association.

Your Committees received written comments in opposition to this measure from three individuals.

Your Committees received written comments on this measure from the Tax Foundation of Hawaii.

Your Committees find that the Tobacco Enforcement Special Fund supports efforts of the Tobacco Enforcement Unit of the Department of the Attorney General's to administer, monitor, and enforce the Tobacco Master Settlement Agreement and related Hawaii laws, including Chapters 486P and 675, Hawaii Revised Statutes. Your Committees also find that, pursuant to section 245-26(a)(2), Hawaii Revised Statutes, the Tobacco Enforcement Special Fund is partially funded by the cigarette tax stamp fee. However, the amounts of the cigarette tax stamp revenues deposited into the Tobacco Enforcement Special Fund have noticeably dropped in recent years. Your Committees further find that, to maintain the Tobacco Enforcement Unit's diligent enforcement efforts and to minimize the risk of losing the Master Settlement Agreement annual payments, it is critical that the unit receive adequate and continuous funding.

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. 1280, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1280, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

Judiciary: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1091 (Joint/Majority) Ways and Means and Judiciary on S.B. No. 1286**

The purpose and intent of this measure is to facilitate the development of affordable housing.

Specifically, this measure authorizes the Hawaii Community Development Authority to lease certain real property for a term of ninety-nine years.

Your Committees received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Community Development Authority; Stanford Carr Development, LLC; and one individual.

Your Committees received written comments on this measure from the Office of Hawaiian Affairs.

Your Committees find that although the development of leasehold housing units is a viable strategy to meet housing demand, the lease terms must be long enough to attract buyers and lenders. Your Committees further find that a term of ninety-nine years is an adequate length to attract lenders and buyers.

Your Committees have amended this measure by:

- (1) Providing that, in addition to lands that were classed as crown lands prior to August 15, 1895, the lease of lands that were classed as government lands prior to August 15, 1895, shall also have a term not to exceed sixty-five years;
- (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. 1286, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1286, S.D. 1.

Signed by the Chairs on behalf of the Committees.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).  
 Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1092 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 81**

The purpose and intent of this measure is to clarify that the Board of Land and Natural Resources' authority shall supersede the Mauna Kea Stewardship and Oversight Authority for all Mauna Kea lands designated under the state conservation district.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and three individuals. Your Committees received testimony in opposition to this measure from the Mauna Kea Stewardship and Oversight Authority and three individuals.

Your Committees find that Act 255, Session Laws of Hawaii 2022 (Act 255), established the Mauna Kea Stewardship and Oversight Authority (MKSOA) and placed it within the Department of Land and Natural Resources for administrative purposes. The intent of Act 255 was to transfer management authority over Mauna Kea lands from the University of Hawaii to the MKSOA over a five-year transition period, during which the MKSOA and the University of Hawaii will jointly manage Mauna Kea lands, provided that the MKSOA's day-to-day operations shall be carried out by the Center for Mauna Kea Stewardship for the transition period. Following the end of the transition period, or sooner, the Department of Land and Natural Resources shall then be subject to the oversight of the MKSOA regarding the control and management of Mauna Kea lands. Act 255 is ambiguous as to which agency has jurisdiction over conservation district lands. Therefore, this measure clarifies this ambiguity.

Your Committees have amended this measure by:

- (1) Specifying that the Chairperson of the University of Hawaii Board of Regents, with approval of the Board of Regents subject to quorum and majority requirements, may designate a member of the Board of Regents or past member of the Board of Regents with experience with Mauna Kea, to serve as the Chairperson of the University of Hawaii Board of Regents' Designee on the MKSOA; 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. 81, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 81, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1093 (Joint) Judiciary and Ways and Means on S.B. No. 94**

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to approve or deny an application for a special activity permit (SAP) for aquatic research within ninety days from the date that it was submitted; and
- (2) Establish and appropriate \$250,000 for two full-time equivalent (2.0 FTE) positions within the Division of Aquatic Resources to support the SAP review process.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and three individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that any individual associated with certain institutions who collects regulated aquatic organisms or resources, uses regulated gear, or conducts activities in regulated aquatic areas for research, educational, management, or propagation purposes is required to hold a one-year SAP permit pursuant to section 187A-2, Hawaii Revised Statutes. Your Committees note the hardship on SAP applicants caused by the lengthy SAP review process, which can take over twelve months. This measure will facilitate the timely review of SAP applications and the issuance of these permits.

Your Committees have amended this measure by:

- (1) Inserting a blank appropriation amount for the establishment of two full-time equivalent (2.0 FTE) positions within the Division of Aquatic Resources; 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. 94, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 94, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1094 (Joint) Judiciary and Ways and Means on S.B. No. 67**

The purpose and intent of this measure is to:

- (1) Prohibit any commercial vendor from presetting commercial beach equipment on any public beach under the jurisdiction of the Department of Land and Natural Resources, unless the customer is physically present;
- (2) Require commercial vendors to expeditiously remove commercial beach equipment after the customer has finished using it;
- (3) Allow the Department of Land and Natural Resources to grant exemptions through rules; and
- (4) Establish administrative fines for violations.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and three individuals. Your Committees received comments on this measure from the Hawai'i Tourism Authority.

Your Committees find that many residents complain to state officials about equipment presetting on state beaches by the visitor industry and that issues persist due to the lack of a clear definition of presetting. Your Committees additionally find that the State has worked to address the presetting of beach umbrellas and chairs on beaches by issuing citations, but courts have dismissed many of these citations due to concessionaires stating that they were setting up umbrellas for customers with prior reservations. Thus, this measure prohibits any commercial vendor from presetting commercial beach equipment on any public beach when customers are not present and requires that vendors remove the equipment once the customers leave or no longer are using the equipment.

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. 67, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 3 (Kanuha, Moriwaki, Fevella).

**SCRep. 1095 (Joint) Judiciary and Ways and Means on S.B. No. 1404**

The purpose and intent of this measure is to authorize the Department of Transportation Airports Division to:

- (1) Demand and collect reimbursement from any airport contractor, tenant, or user for the entire amount of fines and penalties levied for the violation of federal, state, or county laws related to environmental protection or the United States Department of Homeland Security; and
- (2) Enter into a capital advancement contract with a private party for public improvement or construction projects at State airports under certain circumstances.

Your Committees received testimony in support of this measure from the Department of Transportation.

Your Committees find that in the past three years, the Department of Transportation was fined by the United States Transportation Security Administration approximately \$150,000 for violations caused by tenants and contractors at State airports. Therefore, providing the Department with the statutory authority to demand and collect reimbursements from violators will help streamline the general recourse process and ensure that funds ceded as fines are reclaimed for the betterment of the airports.

Your Committees also find that the need for airport improvements can arise unexpectedly and that oftentimes, these projects require a quick response that is not typically available through public financing methods. Therefore, allowing the Department to enter into certain capital advancement contracts with private parties will allow for the timely completion of necessary airport improvements, as they arise, to the benefit of the traveling 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 S.B. No. 1404, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1096 (Joint) Judiciary and Ways and Means on S.B. No. 306**

The purpose and intent of this measure is to:

- (1) Require the full text of the proposed administrative rules of all state agencies to be posted on the website of the Office of the Lieutenant Governor in a digitally accessible and searchable format;
- (2) Require all state agencies to make the full text of their administrative rules available in a digitally accessible and searchable format on the website of the Office of the Lieutenant Governor;
- (3) Require the Office of the Lieutenant Governor to submit a report on the long-range plans for the expansion, cross-referencing, and centralization of the Hawaii Administrative Rules on its website, along with the implementation of the plans, to the Legislature prior to the Regular Session of 2024; and
- (4) Appropriate an unspecified amount to the Office of the Lieutenant Governor for the establishment of two full-time equivalent positions to implement and maintain the centralization and accessibility of the Hawaii Administrative Rules on the Lieutenant Governor's website.

Your Committees received testimony in support of this measure from the State of Hawaii Organization of Police Officers and two individuals. Your Committees received comments on this measure from the Office of the Lieutenant Governor.



Your Committees find that this measure will make it easier for the public and community stakeholders to view and understand the proposed administrative rule changes that will impact their lives. Requiring information to be digitally accessible will enable individuals with disabilities to access this information. Therefore, this measure will increase transparency across all state agencies.

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. 306, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 13. Noes, none. Excused, none.

**SCRep. 1097 (Joint) Judiciary and Ways and Means on S.B. No. 786**

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

Your Committees received testimony in support of this measure from the Department of Law Enforcement. Your Committees received testimony in opposition to this measure from the Honolulu Police Department. Your Committees received comments on this measure from the State Fire Council, Department of Fire & Public Safety of the County of Maui, and Honolulu Fire Department.

Your Committees find that state and county agencies are regularly called upon to participate in search and rescue operations for people who have ignored posted warnings, left defined hiking trails, and ventured into closed areas. Standard search and rescue of lost or injured persons are anticipated and part of the expected operations of first responders, but when an individual chooses to ignore warnings of government agencies or private landowners to maintain public safety, ongoing operations must be put on hold and agencies must incur additional unbudgeted costs and expenses to find and rescue these individuals. This measure requires agencies to pursue reimbursement of those extra costs and expenses from an individual who unreasonably disregarded their safety by ignoring warnings or leaving hiking trails, resulting in the need for rescue services.

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. 786, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1098 (Joint) Judiciary and Ways and Means on S.B. No. 745**

The purpose and intent of this measure is to:

- (1) Expand the offense of false labeling of Hawaii-grown coffee to include roasted coffee;
- (2) Impose a \$10,000 fine for each separate offense of false labeling of Hawaii-grown roasted coffee; and
- (3) Appropriate an unspecified amount of funds for one full-time equivalent (1.0 FTE) measurements standards inspector position within the Department of Agriculture.

Your Committees received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Hawaii Farmers Union United, Synergistic Hawai'i Agriculture Council, Kona Coffee Farmers Association, Rancho Aloha Coffee Farm, and one individual.

Your Committees find that it is important for the State to continue to protect its distinctive, premium brand of coffee. Your Committees recognize that some producers of roasted coffee that includes a blend of one or more Hawaii-grown coffees use a label that contains the geographic origin of the Hawaii-grown coffee, thereby misleading consumers into believing that all of the roasted coffee was exclusively grown in the named region of the State. The stricter penalty and increased enforcement resulting from this measure will help deter the distribution of roasted coffee that is falsely labeled as Hawaii-grown and protect the reputation of Hawaii's coffee industry.

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. 745, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1099 (Joint) Judiciary and Ways and Means on S.B. No. 612**

The purpose and intent of this measure is to:

- (1) Require sellers or providers of emotional support animals and sellers or providers of certificates, identifications, tags, vests, leashes, and harnesses identifying an animal as an emotional support animal to provide a disclaimer that the animal is not a service animal and the user is not accorded by law the same rights and privileges as those of service animal users; and
- (2) Establish penalties for violations of these requirements.

Your Committees received testimony in support of this measure from the Department of Human Services, Disability and Communication Access Board, and one individual. Your Committees received comments on this measure from the Hawai'i Civil Rights Commission.

Your Committees find that many people are unaware of the difference between a service animal and an emotional support animal. To qualify as a service animal pursuant to state law, a dog must be individually trained to do work or perform tasks for the benefit of an individual with a disability. The same training is not required of an animal designated as an emotional support animal. Due to this difference in training, emotional support animals misrepresented as service animals can endanger the health and safety of individuals with disabilities by distracting their service animals. To protect the health and safety of these individuals, this measure reduces the unwitting misrepresentation of emotional support animals as service animals by requiring disclaimers regarding an animal's certification and a user's rights and privileges upon receipt of an emotional support animal or emotional support animal certificate or accessory.

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. 612, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1100 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 398**

The purpose and intent of this measure is to:

- (1) Require the Department of Human Services to collect and analyze data to determine the impact of expanding post-permanency services to families receiving benefits from the State's Adoption Assistance Program and report its findings and recommendations to the Legislature before the convening of the Regular Session of 2025; and
- (2) Appropriate funds 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 State's Adoption Assistance Program.

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 Coalition for Child Protective Reform and one individual.

Your Committees find that additional measures are needed to strengthen the network of state systems that protect and ensure the safety and security of at-risk children who are or have previously been under the protection and legal jurisdiction of the State. One means to accomplish this goal is to extend the oversight of child welfare services beyond foster care to include children whose families receive payments through the State's Adoption Assistance Program. This measure would assist the Department of Human Services in their efforts to improve the child welfare system by assisting with family strengthening and the maintenance of a safe home environment for adopted children.

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. 398, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1101 (Joint) Judiciary and Ways and Means on S.B. No. 384**

The purpose and intent of this measure is to:

- (1) Authorize each county to adopt ordinances to enforce the design, construction, and signage requirements of the federal Americans with Disabilities Act of 1990 (ADA), as amended; part III of chapter 291, Hawaii Revised Statutes; and any administrative rules adopted under that part, including the establishment of penalties for failure to comply with the ordinance; and
- (2) Clarify that an official appointed by a county may enter property of places of public accommodation to enforce violations of the ordinances adopted by the county.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board.

Your Committees find that more than one hundred thousand residents in Hawai'i have an active disability parking permit issued pursuant to the Statewide Program on Parking for Persons with Disabilities. Your Committees find, however, that many places of public accommodation fail to comply with the ADA and state requirements for providing parking spaces reserved for persons with disabilities, including their number, location, design, and signage. Although existing law sets forth penalties for public and private entities that fail to comply with these requirements and allows law enforcement officers and commissioned volunteer enforcement officers to enter private property for enforcement, the statute has not been enforced since its enactment on July 1, 2002, because the law does not designate a specific government agency to impose or collect the penalties. This measure will allow the counties to adopt ordinances to enforce the ADA and state requirements through appointed county officials.

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. 384, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1102 (Joint) Judiciary and Ways and Means on S.B. No. 235**

The purpose and intent of this measure is to require the Department of the Attorney General to:

- (1) Develop and implement a statewide program to prevent human trafficking and provide increased support and assistance to victims of human trafficking and victims of the commercial sexual exploitation of children;
- (2) Submit a report to the Legislature before the Regular Session of 2024 on the State's efforts to address the commercial sexual exploitation of children; and
- (3) Submit a report to the Legislature before the Regular Session of 2025 on the State's efforts to address human trafficking.

Your Committees received testimony in support of this measure from the Department of Health, Department of Human Services, Office of Hawaiian Affairs, Rainbow Family 808, Zonta Club of Hilo, 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 the Attorney General.

Your Committees find that human trafficking and the commercial sexual exploitation of children have been a growing issue both in the State and throughout the United States. Your Committees also find that the covert nature of the crimes and the reluctance of the exploited individuals to report or identify themselves as victims make the crimes extremely difficult to detect and counter. Your Committees further find that while the State has implemented multiple programs to prevent and fight these crimes, there is a need for a more coordinated and comprehensive effort. This measure furthers the State's efforts in countering human trafficking and commercial sexual exploitation of children by establishing a robust and comprehensive statewide framework.

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. 235, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1103 (Joint) Judiciary and Ways and Means on S.B. No. 129**

The purpose and intent of this measure is to:

- (1) Require providers of no-cost emergency shelter and related services to maintain separation for unrelated adults and minor children; and
- (2) Make permanent the amendments to the definition of "provider" to include organizations, which are not child placing organizations or child caring institutions that meet certain criteria.

Your Committees received testimony in support of this measure from Rainbow Family 808, Hawai'i Youth Services Network, and Opportunity Youth Action Hawai'i. Your Committees received comments on this measure from the Department of Human Services.

Your Committees find that there is a population of unaccompanied homeless minors who avoid the use of shelter services due to fear of being placed into the foster care system or into a shelter situation that they do not want to be in. To allow these youth to access emergency shelters, Act 23, Session Laws of Hawaii 2021 (Act 23), expanded the definition of a "provider" who may provide consenting minors with no-cost emergency shelter and related services to include organizations that are not child placing organizations or child caring institutions under certain conditions. However, Act 23 is scheduled to be repealed on June 30, 2023. This measure repeals the sunset date for Act 23, thereby making the expanded definition of "provider" permanent and provides further protection to minors in emergency shelters by requiring the providers to maintain fully separated service areas between unrelated minors and adults.

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. 129, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1104 (Joint) Judiciary and Ways and Means on S.B. No. 937**

The purpose and intent of this measure is to reform the decision-making process of the Land Use Commission by:

- (1) Clarifying that a simple majority of affirmative votes of the members of the Land Use Commission present at a meeting and qualified to vote is required for any boundary amendment; and
- (2) Reducing the number of days within which the Land Use Commission must act for certain actions related to amendments to district boundaries.

Your Committees received testimony in support of this measure from the Hawai'i Association of REALTORS. Your Committees received testimony in opposition to this measure from the Office of Hawaiian Affairs. Your Committees received comments on this measure from the Land Use Commission and the Grassroot Institute of Hawaii.

Your Committees find that one of the major causes for the slow production of housing in the State are the delays that stem from the long and unpredictable planning and permitting process. According to testimony received by your Committees, the State's average delay in the permit and approval process is three times the length of the national mean. This measure seeks to expedite the necessary approval from the Land Use Commission for any boundary amendments, especially district boundaries involving land areas greater than fifteen acres.

Your Committees note the concerns raised by the Land Use Commission regarding the reduction of days within which it must conduct a hearing and vote to approve, deny, or modify a petition to amend district boundaries involving land areas greater than fifteen acres, and find that this merits further consideration. Your Committees respectfully request that these issues and concerns be examined as this measure moves forward in the legislative process.

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. 937, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12; Ayes with Reservations (Kim). Noes, none. Excused, 1 (Fevella).

**SCRep. 1105 (Joint) Judiciary and Ways and Means on S.B. No. 962**

The purpose and intent of this measure is to:

- (1) Add or clarify signage, manufactured cannabis product, and escort requirements for the medical cannabis dispensary program;
- (2) Establish annual reporting requirements to increase public transparency regarding the medical cannabis registry program; and
- (3) Make various housekeeping amendments.

Your Committees received testimony in support of this measure from the Department of Health, Pono Life Maui, Cure Oahu, and one individual. Your Committees received comments on this measure from Akamai Cannabis Consulting.

Your Committees find that streamlining medical cannabis dispensary operations and resources allows businesses to remain operational and serve patient needs. Additionally, informing medical cannabis patients through signage allows patients to make informed decisions before purchasing specific products. Creating transparency between medical cannabis dispensaries and patients also promotes safer public health practices. This measure ensures continued access to medical cannabis while also addressing consumer protection and public health concerns.

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. 962, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1106 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 1018**

The purpose and intent of this measure is to:

- (1) Require the Governor to ensure continued operation of medical facilities upon declaration of a state of emergency and during times of health or pandemic emergencies; and
- (2) Allow hospitals to suspend elective surgeries during the period of emergency to address the facility's bed capacity.

Your Committees received comments on this measure from the Healthcare Association of Hawaii.

Your Committees find that Hawai'i fared far better than other states during the coronavirus disease 2019 pandemic, with far lower infection and death rates. Your Committees believe that this success was achieved through cooperation between public and private entities, with hospitals, nursing homes, and other medical facilities working extensively with both federal and state officials to ensure the continuation of essential services. This measure will allow the State to remain resilient during a state of emergency by ensuring that residents retain access to necessary services.

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. 1018, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1107 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 1357**

The purpose and intent of this measure is to:

- (1) Make permanent Act 141, Session Laws of Hawaii 2009, which requires the counties to issue affordable housing credits to the Department of Hawaiian Home Lands upon the Department's request; and
- (2) Make permanent Act 98, Session Laws of Hawaii 2012, which requires the counties to issue affordable housing credits for each residential unit developed by the Department of Hawaiian Home Lands.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands; Dowling Company, Inc.; and one individual.

Your Committees find that affordable housing credits provide the Department of Hawaiian Home Lands greater opportunities to gain resources to develop homesteads. For example, the Department of Hawaiian Home Lands offers a price reduction of housing units offered by homebuilders on Hawaiian home lands through the affordable housing credits program. Additionally, the Department of Hawaiian Home Lands affordable housing program also offers affordable housing options to beneficiaries at no cost to the State. While affordable housing credits provide the Department of Hawaiian Home Lands with flexibility to continue its mission to effectuate the Hawaiian Homes Commission Act of 1920, as amended, the affordable housing credits are temporary in nature and set to expire in 2024. This measure ensures continuity of the affordable housing credits program to allow the Department of Hawaiian Home Lands to continue its mission to serve the native Hawaiian people.

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. 1357, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1108 (Joint) Judiciary and Ways and Means on S.B. No. 1377**

The purpose and intent of this measure is to:

- (1) Revise chapter 342D, Hawaii Revised Statutes, to add definitions that are consistent with federal Clean Water Act regulations;
- (2) Increase certain statutory civil penalties relating to water pollution; and
- (2) Clarify the Director of Health's role as a certifying agency, including enforcement of water quality certifications.

Your Committees received testimony in support of this measure from the Department of Health.

Your Committees find that this measure's inclusion of "wetlands" within the definition of "state waters" is consistent with the revised definition of "waters of the United States" as published on January 18, 2023, in the Federal Register. Your Committees further find that the maximum statutory civil penalty provided in section 342D-30(a), Hawaii Revised Statutes, relating to water pollution has not been updated since 1997. Thus, this measure adds definitions to and updates penalties in chapter 342D, Hawaii Revised Statutes, to match federal standards and inflation-adjusted penalty amounts to deter water polluters.

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. 1377, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1109 (Joint) Judiciary and Ways and Means on S.B. No. 1391**

The purpose and intent of this measure is to authorize the Board of Land and Natural Resources to place a lien on property for noncompliance with administrative enforcement action.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and Surfrider Foundation Hawai'i Region. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that coastal erosion facilitated by rising sea levels is a threat to Hawaii's iconic beaches and shoreline homes. In response to rising tides, many private citizens who have property near public beaches have resorted to building erosion control structures. However, while these shoreline hardening structures may help protect a homeowner's private property, they often encroach upon public lands and beaches, to the detriment of the beachgoing public. Further, the debris from these illegal structures – which can include rocks, concrete, rebar, and textiles – may create serious public hazards along the shoreline and in the water. Your Committees find that the Department of Land and Natural Resources has struggled to resolve the described problems caused by encroaching structures that are typically unpermitted or have remained under an expired permit far beyond their allotted authorization. Therefore, this measure serves to aid the Department in addressing noncompliant and potentially hazardous shoreline hardening structures by allowing the Department to attach a lien on the owner's property.

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. 1391, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1110 (Joint) Judiciary and Ways and Means on S.B. No. 1490**

The purpose and intent of this measure is to require the State to:

- (1) Defend professionally licensed or certified state employees from civil actions when the employee was acting within the scope of their employment and was not grossly negligent or wanton; and
- (2) File a motion to be heard with the court when the State refuses to defend a state or county employee from civil actions on certain grounds.

Your Committees received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and Hawaii Association for Justice. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that in *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 exercising purely medical discretion in diagnosing and treating patients, were not protected from medical malpractice claims under the doctrine of qualified immunity. Thus, to override the Intermediate Court of Appeals' holding, the Legislature enacted Act 44, Session Laws of Hawaii 2022 (Act 44), which clarified, among other things, that when a professionally licensed or certified employee of the State acts within the scope of their employment, the State will be exclusively liable for civil tort claims resulting from the negligent or wrongful acts or omissions should the State agree to be exclusively liable and that any civil actions for money damages against the state employee thereafter would be precluded.

However, your Committees find that Act 44 did not clarify the circumstances in which the State has a duty to defend its professionally licensed or certified employees deemed to be acting within the scope of their employment when it chooses not to invoke exclusive liability for civil tort claims. Therefore, this measure provides the missing protection needed for professionally licensed or certified state employees.

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. 1490, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1111 (Joint) Judiciary and Ways and Means on S.B. No. 867**

The purpose and intent of this measure is to:

- (1) Prohibit any law, ordinance, or rule from imposing an inclusionary zoning requirement on housing offered exclusively for sale in perpetuity to buyers who are residents of the State, are owner-occupants, and do not own any other real property; and
- (2) Require each county to submit a report on inclusionary zoning requirements to the Legislature every year until the Regular Session of 2028.

Your Committees received testimony in support of this measure from Hawaii Housing Financing and Development Corporation. Your Committees received testimony in opposition to this measure from Department of Planning and Permitting of the City and County of Honolulu. Your Committees received comments on this measure from the Grassroot Institute of Hawaii.

Your Committees find that the counties play a major role in setting policies that impact the production of housing in the State. Your Committees recognize that counties have used inclusionary zoning rules to encourage the creation of affordable housing in the State. According to testimony received by your Committees, well-intentioned inclusionary zoning makes housing less affordable, since developers respond to such mandates by building fewer affordable housing units. This measure would provide a strong incentive for the production of housing units at all price points, thereby allowing developers to meet the housing needs of the State.

Your Committees have amended this measure by:

- (1) Inserting an effective date of March 22, 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 S.B. No. 867, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 867, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5; Ayes with Reservations (Elefante). Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1112 (Joint) Judiciary and Ways and Means on S.B. No. 869**

The purpose and intent of this measure is to clarify that a majority of the members appointed to the Youth Commission shall constitute a quorum to do business.

Your Committees received testimony in support of this measure from the Department of Human Services, Office of Youth Services, Hawai'i State Youth Commission, and four individuals.

Your Committees find that under existing law, eight members of the Youth Commission are required to conduct official business. This requirement has hindered the Youth Commission's ability to fulfill its purpose and mission in recent years, as staggered terms and reduced membership have prevented the Commission from reaching quorum. To help facilitate the work of the Commission, this measure ensures the number of Commissioners required to constitute quorum reflects the majority of appointed, rather than statutorily provided for, Commissioners.

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. 869, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 869, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1113 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 763**

The purpose and intent of this measure is to temporarily exempt Hawaii Housing Finance and Development Corporation affordable housing projects from certain state and county fees and exactions when the units of the housing project are exclusively made available to certain qualified residents.

Your Committees did not receive any testimony on this measure.

Your Committees find that this measure would reduce the costs for developers to construct affordable housing, thereby encouraging the production of much-needed affordable housing units in the State.

Your Committees have amended this measure by inserting an effective date of March 22, 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. 763, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 763, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1114 (Joint) Judiciary and Ways and Means on S.B. No. 738**

The purpose and intent of this measure is to:

- (1) Authorize the Department of Hawaiian Home Lands to administer a lease award program for beneficiaries on the homestead lease waiting list who are sixty years old or older or terminally ill, under certain conditions;
- (2) Authorize the qualified successor of a beneficiary who passed away while on the homestead lease waiting list to file a claim for a lease award within four years of this measure's effective date; and
- (3) Require the Department of Hawaiian Home Lands to adopt rules for the administration of this measure within one year of its effective date.

Your Committees received testimony in support of this measure from Hydroponics Alternatives, LLC and seven individuals. Your Committees received comments on this measure from the Department of Hawaiian Home Lands.

Your Committees find that beneficiaries may spend their entire lives on the Department of Hawaiian Home Lands' homestead lease waiting list without receiving a lease award. While a beneficiary's eligible descendants may claim a beneficiary's lease award upon the beneficiary's passing, many descendants are deemed ineligible to do so under existing law, and beneficiaries are unable to designate a successor. To address the intergenerational waiting times to receive a homestead lease award, this measure authorizes the Department to administer an additional program through which certain beneficiaries who are elderly or terminally ill may receive lease awards and allow these beneficiaries to each designate a qualified successor.

Your Committees have amended this measure by:

- (1) Inserting an effective date of March 22, 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 S.B. No. 738, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 738, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1115 (Joint) Judiciary and Ways and Means on S.B. No. 521**

The purpose and intent of this measure is to establish a Surplus Military Land Task Force within the Office of Planning and Sustainable Development to:

- (1) Plan for the remediation and restoration of lands currently under federal control that are anticipated to be returned to the State;
- (2) Consider potential alternative uses; and
- (3) Identify any lands that should continue under federal control for the next ten years.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development and two individuals. Your Committees received comments on this measure from the Office of Hawaiian Affairs, Department of Land and Natural Resources, and Hawaii Military Affairs Council.

Your Committees find that it is necessary for the State to continue to take a proactive approach as the upcoming expirations of land leases between the State and the United States government lead to the return of state ceded lands. This measure seeks to facilitate the remediation and restoration of properties in the State that have been used as military facilities.

Your Committees have amended this measure by inserting an effective date of March 22, 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. 521, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 521, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
 Judiciary: Ayes, 5. Noes, none. Excused, none.  
 Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1116 (Joint) Judiciary and Ways and Means on S.B. No. 445**

The purpose and intent of this measure is to:

- (1) Increase civil penalties for the violation of various pollution provisions; and
- (2) Establish and appropriate funds for one full-time equivalent environmental health specialist position.

Your Committees received testimony in support of this measure from the Department of Health.

Your Committees find that various pollution provisions have not been updated for more than twenty years and that, due to inflation and other economic changes, the fines in these provisions have lost their ability to deter polluting behavior. For many polluting entities, the economic benefit of polluting may outweigh the cost of paying the fines in place. Thus, this measure increases the penalties of several pollution provisions to ensure that any financial or economic gain of committing such violations are eliminated, thereby reducing pollution in the State.

Your Committees have amended this measure by inserting an effective date of March 22, 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. 445, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 445, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1117 (Joint) Judiciary and Ways and Means on S.B. No. 366**

The purpose and intent of this measure is to establish penalties for the failure to comply with a County Director of Finance's request that a vehicle number plate or special number plate be returned.

Your Committees received testimony in support of this measure from the Department of Customer Services of the City and County of Honolulu.

Your Committees find that occasionally it is necessary to recall a specialty license plate after it has been issued. However, there is currently no incentive for the owner of a specialty license plate to comply with a request to return the plate. This measure will impose a civil fine to promote compliance with a request to recall a specialty license plate.

Your Committees have amended this measure by:

- (1) Inserting an effective date of March 22, 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 S.B. No. 366, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 366, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1118 (Joint) Judiciary and Ways and Means on S.B. No. 210**

The purpose and intent of this measure is to establish a Criminal Justice Data Sharing Working Group to make recommendations for a statewide criminal justice data repository.

Your Committees received testimony in support of this measure from the Department of Law Enforcement, Department of Public Safety, Hawaii Correctional System Oversight Commission, Office of the Mayor of the City and County of Honolulu, and Department of the Prosecuting Attorney of the City and County of Honolulu. 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 Criminal Justice Research Institute, Legislative Reference Bureau, and The Civil Beat Law Center for the Public Interest.

Your Committees find that the establishment of a statewide criminal justice data repository will increase the efficiency of the State's criminal justice system and improve public safety and homeland security. Your Committees further find that the establishment of a working group to address the complexities of statewide data sharing in the criminal justice system will allow all state and county criminal justice agencies to securely and efficiently share appropriate and essential data.

Your Committees have amended this measure by:

- (1) Specifying that the working group shall provide annual updates to the Legislature;
- (2) Clarifying that the Legislative Reference Bureau, upon request of the working group's chairperson by no later than October 1st of each year, may draft proposed legislation for the working group;
- (3) Specifying that the working group members and their respective departments and agencies shall protect the information and data that may be shared as part of the working group;
- (4) Specifying that the working group shall cease to exist on July 1, 2029;
- (5) Inserting an effective date of March 22, 2075, to encourage further discussion; and



- (6) 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. 210, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 210, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1119 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 990**

The purpose and intent of this measure is to:

- (1) Establish a Traffic Fines Task Force that will examine the Finnish tiered traffic fines system;
- (2) Determine whether a similar system could be implemented in Hawai'i;
- (3) Provide recommendations as to how a system could be implemented; and
- (4) Appropriate funds.

Your Committees received comments on this measure from the Judiciary.

Your Committees find that a primary purpose for speeding fines is to deter speeding. However, flat fines fail to deter affluent offenders, as their wealth allows them to easily pay the fines. Your Committees believe that a scaled system for traffic fines, such as the system utilized by Finland, may be effective in deterring wealthy offenders. This measure will explore the feasibility of a scaled fine system by establishing a Traffic Fines Task Force to determine whether a scaled fine system could be implemented in the State.

Your Committees have amended this measure by:

- (1) Inserting an unspecified appropriation amount for the establishment of the Traffic Fines Task Force; and
- (2) Inserting an effective date of March 22, 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. 990, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 990, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1120 (Joint) Judiciary and Ways and Means on S.B. No. 1014**

The purpose and intent of this measure is to:

- (1) Authorize the Department of Hawaiian Home Lands to retain independent legal counsel where the opposing party to the reasonably anticipated litigation is the State or another state agency; and
- (2) Provide that fees 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 and two individuals. Your Committees received testimony in opposition to this measure from the Department of the Attorney General and one individual.

Your Committees find that the Department of Hawaiian Home Lands has a trust obligation to faithfully carry out the mission and spirit of the Hawaiian Homes Commission Act of 1920, as amended, for the native Hawaiian beneficiaries. Further, to ensure the Department of Hawaiian Home Lands fulfills its trust obligations to the fullest extent, the Department may, at times, find strategic plans and alternatives that may not align with other agencies. As a result of its unique history, the Department of Hawaiian Home Lands should be allowed to utilize legal counsel that will best represent the interests of the client, the native Hawaiian people. This measure authorizes the Department of Hawaiian Home Lands to continue its mission to effectuate the purposes of the Hawaiian Homes Commission Act of 1920, as amended.

Your Committees have amended this measure by inserting an effective date of March 22, 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. 1014, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1014, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1121 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 1311**

The purpose and intent of this measure is to repeal Act 192, Session Laws of Hawaii 2007, which requires the Employees' Retirement System to divest itself of investments in companies that provide support for the genocide in Darfur, Sudan, and to provide annual reports to the Legislature on the status of those divestments.

Your Committees received testimony in support of this measure from the Employees' Retirement System Board of Trustees. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the Legislature enacted Act 192, Session Laws of Hawaii 2007 (Act 192), to voice its opposition to the humanitarian crisis that was occurring in Darfur, Sudan, and to place economic pressure on the Sudanese Government by joining the international community in establishing sanctions. To that end, Act 192 prohibited the Employees' Retirement System (ERS) from investing in companies that do business with Sudan and required the ERS administrator to identify and monitor those companies.

Your Committees further find that Act 192 was to remain in effect only insofar as it continued to be consistent with the foreign policy of the United States. Further, Act 192 set forth specific triggering conditions that, upon their occurrence, would necessitate its repeal. Your Committees find that one or more of these triggering conditions was satisfied by the following: (1) Executive Order 13761 of January 13, 2017, Recognizing Positive Actions by the Government of Sudan and Providing for the Revocation of Certain Sudan-Related Sanctions; (2) Department of State Public Notice 10156, Notice Regarding Positive Actions by the Government of Sudan; and (3) the Presidential Memorandum of October 26, 2020, Certification Pursuant to Section 6(E) of the Comprehensive Peace in Sudan Act of 2004, as Amended by the Darfur Peace and Accountability Act of 2006. Therefore, this measure accordingly repeals Act 192.

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 S.B. No. 1311, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1311, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1122 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 1418**

The purpose and intent of this measure is to:

- (1) Establish a person's conduct that produces, or causes to be produced, noise exceeding a certain decibel level during night time hours in any area zoned as residential or mixed-use residential as unreasonable noise that constitutes the offense of disorderly conduct; and
- (2) Appropriate funds for enforcement.

Your Committees received testimony in support of this measure from the Department of Health, Waikiki Neighborhood Board No. 9, and eleven individuals. Your Committees received testimony in opposition to this measure from the Honolulu Police Department, UNITE Here Local 5, and one individual.

Your Committees find that Waikiki and similarly boisterous and densely populated areas in the State are plagued by excessive noise pollution from noisy, backfiring mufflers and amplified loud music from cars, motorcycles, and mopeds. Your Committees further find that residents in these areas who were once able to sleep soundly through the night with their windows open to allow for cooling winds, must now keep their windows closed to minimize excessive street noise with some resorting to buying air conditioning units and noise-cancelling headphones to ensure a restful and undisturbed sleep. This measure seeks to improve the health and quality of life for residents living in the State's urban areas by restricting unreasonable noise exceeding a specified level during night time hours in any area zoned as residential or mixed-use residential zoned.

Your Committees have amended this measure by changing the noise restriction time period from 7:00 p.m. to 7:00 a.m., to 10:00 p.m. to 6:00 a.m.

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. 1418, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1418, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

Ways and Means: Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1123 Ways and Means on S.B. No. 449**

The purpose and intent of this measure is to appropriate moneys to the Department of Business, Economic Development, and Tourism for the Commission on the Thirteenth Festival of Pacific Arts and Culture to plan for the Festival of Pacific Arts and Culture to be held in Honolulu from June 6 to June 16, 2024.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Tourism Authority; Commission on the 13th Festival of Pacific Arts & Culture; and one individual.

Your Committee finds that the Festival of Pacific Arts and Culture provides a venue for celebrating indigenous cultures and traditions from throughout the Pacific region. Your Committee further finds that the festival is expected to generate up to \$27,000,000 in direct sales and \$3,200,000 in state tax revenues.

Your Committee has amended this measure by requiring the Department of Business, Economic Development, and Tourism to submit to the Legislature:

- (1) Prior to the release of the moneys appropriated by this measure, a report detailing how any state moneys that were previously appropriated for the festival were expended; and
- (2) No later than twenty days prior to each Regular Session until the moneys appropriated by this measure are expended or lapse, a report on the Commission on the Thirteenth Festival of Pacific Arts and Culture's expenses for the preceding 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. 449, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 449, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1124 Ways and Means on S.B. No. 458**

The purpose and intent of this measure is to promote the discovery and development of geothermal resources in the State.

More specifically, this measure:

- (1) Establishes additional sources of funding for, and authorized uses of moneys deposited into, the university innovation and commercialization initiative special fund;
- (2) Requires the Board of Land and Natural Resources, certain counties, and the Hawaii Groundwater and Geothermal Resources Center to submit annual reports to the Legislature on the use of geothermal royalties; and
- (3) Provides for the distribution of geothermal royalties to certain entities.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; Hawaii Center for Advanced Transportation Technologies of the Hawaii Technology Development Corporation; Office of Hawaiian Affairs; University of Hawaii; DaRubbahSlippahGroup.com; Hawaiian Electric; Servco Pacific, Inc.; Ulupono Initiative; and numerous individuals.

Your Committee received written comments in opposition to this measure from the Hawaii County Council and one individual.

Your Committee received written comments on this measure from the Hawaii State Energy Office.

Your Committee finds that using geothermal royalties as a source of funding for projects that promote and advance renewable energy resources development will help the State to achieve its clean renewable energy goals.

Your Committee has amended this measure by:

- (1) Deleting the provision establishing new funding sources for, and authorized uses of moneys in, the university innovation and commercialization initiative special fund; and
- (2) Deleting the provision requiring the Board of Land and Natural Resources, certain counties, and the Hawaii Groundwater and Geothermal Resources Center to submit annual reports to the Legislature;
- (3) Establishing a renewable energy resources development special fund and the funding sources for, and authorized uses of moneys in, the special fund;
- (4) Requiring the Department of Business, Economic Development, and Tourism to submit an annual report to the Legislature on the revenue and expenditures of the renewable energy resources development special fund;
- (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. 458, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 458, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1125 Ways and Means on S.B. No. 865**

The purpose and intent of this measure is to increase the supply of affordable housing for residents of the State.

More specifically, this measure:

- (1) Establishes the ALOHA homes program to develop low-cost homes on state- and county-owned land in urban redevelopment sites near public transit stations, to be sold to qualified residents;
- (2) Exempts ALOHA homes program developments from land component impact fee or fee in lieu requirements and construction cost component impact fee requirements; and
- (3) Appropriates moneys to the Hawaii Public Housing Authority for the ALOHA homes program, including the establishment of program manager and development specialist positions.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority, Church of the Crossroads, Land Use Research Foundation 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 Budget and Finance, Department of Land and Natural Resources, Grassroot Institute of Hawaii, and Sierra Club of Hawaii.

Your Committee finds that increasing the supply of low-cost homes for residents of the State near public transit stations will help to address the State's housing needs without creating widespread urban sprawl.

Your Committee has amended this measure by:

- (1) Clarifying that the Hawaii Public Housing Authority is required to administer the ALOHA homes revolving fund;
- (2) Clarifying that moneys appropriated by the Legislature are a lawful source of funding for the revolving fund;
- (3) Requiring the Hawaii Public Housing Authority to submit annual reports to the Legislature on the progress of ALOHA homes program projects;
- (4) Clarifying that the amendments made to section 302A-1603(b), Hawaii Revised Statutes, by this measure shall not be repealed when that section is reenacted on July 1, 2024;
- (5) Inserting a repeal date of July 1, 2053;
- (6) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; 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. 865, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 865, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1126 Ways and Means on S.B. No. 874**

The purpose and intent of this measure is to exempt various forms of housing development from the imposition of school impact fees.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority, NAIOP Hawaii, Ikenakea Development, HNL Development, 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 Education, School Facilities Authority, and Tax Foundation of Hawaii.

Your Committee finds that school impact fees contribute to the cost of constructing housing projects. Exempting certain housing projects from school impact fees will help to streamline construction and ensure that all funding for a project is focused on building housing for local families.

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. 874, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 874, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1127 Ways and Means on S.B. No. 900**

The purpose and intent of this measure is to appropriate moneys to the Executive Office on Aging for three program specialist positions for the Hawaii state health insurance assistance program.

Your Committee received written comments in support of this measure from the Executive Office on Aging of the Department of Health, AARP Hawaii, Catholic Charities Hawaii, and numerous individuals.

Your Committee finds that establishing program specialist positions for the Hawaii state health insurance assistance program will help the Executive Office on Aging to meet the State's growing aging population's demand for accurate, timely, and unbiased services.

Your Committee has amended this measure by:

- (1) Requiring the Executive Office on Aging to submit to the Legislature an annual progress report on the Hawaii state health insurance assistance program; 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. 900, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 900, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1128 Ways and Means on S.B. No. 1027**

The purpose and intent of this measure is to provide for the regulation of combat sports contests within the State.

More specifically, the measure:

- (1) Establishes the Combat Sports Commission of Hawaii within the Department of Commerce and Consumer Affairs and gives the Commission sole jurisdiction and control over all combat sports contests held within the State;
- (2) Requires the Commission to adopt administrative rules pursuant to Chapter 91, Hawaii Revised Statutes;
- (3) Defines "combat sports" as unarmed combat involving the use of a combination of techniques from different martial arts disciplines, including grappling, kicking, and striking, subject to certain limits;
- (4) Prohibits no-rules combat or similar contests; and
- (5) Appropriates unspecified funds to the Department of Commerce and Consumer Affairs for an unspecified number of staff positions for the Commission.

Your Committee received written comments in support of this measure from the Councilmember representing Honolulu City Council District 9, and four individuals.

Your Committee received written comments in opposition to this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that Hawaii residents have embraced full-contact combat sports, as evidenced by the capacity crowds attending these events at large venues, and that a combat sports commission should be established to encourage the continued growth of this industry and attract high profile sporting events.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1027, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1129 Ways and Means on S.B. No. 1191**

The purpose and intent of this measure is to authorize the issuance of general obligation bonds and appropriate the revenues from the bonds to the Department of Business, Economic Development, and Tourism for statewide planning for and coordination of transit-oriented development projects identified in the state strategic plan for transit-oriented development.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii State Energy Office, Office of Planning and Sustainable Development, Department of Accounting and General Services, AARP Hawaii, Land Use Research Foundation of Hawaii, and one individual.

Your Committee finds that the promotion of mixed-use development and affordable housing within transit-oriented development areas stimulates economic development and increases affordable housing. Your Committee recognizes that since 2016, the Legislature has made numerous appropriations to the Office of Planning and Sustainable Development to support planning for transit-oriented development projects. However, the funding requests have exceeded available funds. Your Committee further finds that moneys to maintain and enhance capacity for transit-oriented development projects should now be appropriated.

Your Committee has amended this measure:

- (1) By specifying certain projects to be funded;
- (2) Changing the source of the funding to general funds;
- (3) Changing the expending agency from the Department of Business, Economic Development, and Tourism to the Hawaii Community Development Authority; and
- (4) Making conforming amendments to reflect the above-identified 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. 1191, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1191, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1130 Ways and Means on S.B. No. 1197**

The purpose and intent of this measure is to increase procurement accountability at the University of Hawaii.

Specifically, this measure:

- (1) Designates the Vice President for Budget and Finance and Chief Financial Officer as the chief procurement officer for the University of Hawaii;
- (2) Appropriates moneys to effectuate the transfer of chief procurement officer duties; and
- (3) Appropriates moneys to the University of Hawaii for repair and maintenance of University of Hawaii campus buildings and infrastructure.

Your Committee received written comments in opposition to this measure from the University of Hawaii.

Your Committee finds that the President of the University of Hawaii's role as the leader of the University of Hawaii System may conflict with the duty of a chief procurement officer to oversee ethical public procurement in accordance with the Hawaii Public Procurement Code. Your Committee further finds that this measure eliminates this potential conflict of interest by ensuring that the two roles are held by separate individuals.

Your Committee has amended this measure by:

- (1) Deleting the appropriation of an unspecified sum of general funds for repair and maintenance of University of Hawaii campus buildings and infrastructure;
- (2) Inserting language that authorizes the issuance of general obligation bonds in the sum of \$20,000,000, and appropriating the bond proceeds to University of Hawaii, Systemwide Support (UOH900) to renew, improve, and modernize facilities; and
- (3) Amending the preamble to reflect the measure's amended purpose.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1197, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1197, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1131 Ways and Means on S.B. No. 1235**

The purpose and intent of this measure is to facilitate the calculation of the twenty percent pro rata share of income and proceeds from the public land trust due annually to the Office of Hawaiian Affairs for the betterment of the conditions of Native Hawaiians.

Specifically, the measure:

- (1) Provides that the working group established pursuant to Act 226, Session Laws of Hawaii 2022:
  - (A) Shall be a temporary Public Land Trust Working Group;
  - (B) Shall be established in the Office of the Governor, and for administrative purposes only;
  - (C) Shall have the primary special purpose of compiling an inventory of all ceded lands in the public land trust;
  - (D) Shall use its reasonable best efforts to complete the inventory within twenty-four months of the effective date of the measure;
  - (E) Shall include one member appointed by the Speaker of the House of Representatives and one member appointed by the President of the Senate;
  - (F) Shall appoint an Executive Director to oversee the day-to-day operations of the working group and perform other functions as directed by the working group;
  - (G) May employ certain persons that the working group deems necessary for the performance of the working group's functions; and
  - (H) Shall submit annual reports to the Legislature and quarterly reports to the Legislature, Office of Hawaiian Affairs, and Governor;
- (2) Requires all state agencies to provide certain information to the working group, to the extent required by the working group to fulfill its purpose of identifying all lands in the public land trust inventory;
- (3) Requires the Office of Hawaiian Affairs to provide the working group with a comprehensive list of certain parcels of land; and
- (4) Appropriates unspecified moneys to the Office of the Governor to carry out the purposes of the measure.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee recognizes the importance of the public land trust described in section 4, and referred to in section 6, of article XII of the Hawaii State Constitution. Accordingly, your Committee believes that the compilation of a definitive inventory of those lands should be the sole purpose of a new working group.

Your Committee has amended this measure by:

- (1) Providing that the temporary public land trust working group shall:
  - (A) Have the special purpose of compiling an inventory of all lands in the public land trust and, once an inventory is completed, establishing a valuation of the lands in the inventory; and
  - (B) Terminate on an unspecified date;
- (2) Inserting \$65,000,000 in general fund appropriations for fiscal years 2023-2024 and 2024-2025 for certain repairs within parcels conveyed to the Office of Hawaiian Affairs pursuant to Act 15, Session Laws of Hawaii 2012;
- (3) Inserting new provisions relating to Office of Hawaiian Affairs development projects within the Kakaako Community Development District makai area, which:

- (A) Require the Office of Hawaiian Affairs to prepare a programmatic environmental impact statement for those projects; and
- (B) Appropriate \$6,000,000 in general funds for fiscal years 2023-2024 for the foregoing purpose;
- (4) Inserting a \$13,000,000 general fund appropriation for fiscal year 2023-2024 for architectural and engineering design, water supply, and other construction costs for the development of Kukaniloko;
- (5) Inserting a severability clause;
- (6) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; 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. 1235, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1235, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Keith-Agaran). Noes, none. Excused, none.

**SCRep. 1132 Ways and Means on S.B. No. 1237**

The purpose and intent of this measure is to facilitate film production in the State.

Specifically, the measure:

- (1) Establishes the Hawaii Film Commission and transfers certain rights, powers, functions, and duties of the existing Hawaii State Film Office to the Commission;
- (2) Establishes and appropriates \$140,000 for each of the fiscal years 2023-2024 and 2024-2035 for an executive director position within the Hawaii Film Commission; and
- (3) Extends from December 31, 2032, to December 31, 2038, the sunset date for the motion picture, digital media, and film production income tax credit.

Your Committee received written comments in support of this measure from the Screen Actors Guild – American Federation of Television and Radio Artists, Teamsters Local 996, IATSE LOCAL 665, and twenty-three individuals.

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

Your Committee finds that the film industry plays an important role in the State's economy. Your Committee believes that the administrative changes and tax credit extension proposed by this measure will improve and strengthen the industry.

Your Committee has amended this measure by:

- (1) Establishing a new film studio tax credit and qualifications to claim the tax credit;
- (2) Amending the administration of the motion picture, digital media, and film production income tax credit;
- (3) Changing from \$50,000,000 to an unspecified sum the statutory annual aggregate cap amount on the motion picture, digital media, and film production income tax credit;
- (4) Requesting the Auditor to conduct a performance and financial audit of the Hawaii Film Office and appropriating an unspecified amount for the audit;
- (5) Clarifying that the person who served as the State Film Commissioner immediately before the effective date of the measure shall serve as the initial executive director of the Hawaii Film Commission, until that person resigns or until the Commission appoints a replacement, whichever occurs first;
- (6) Inserting language to facilitate the transfer of certain rights, powers, functions, and duties from the Hawaii State Film Office to the Hawaii Film Commission;
- (7) Changing to an unspecified amount the appropriation to fund the executive director position;
- (8) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (9) Making numerous 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. 1237, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1237, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1133 Ways and Means on S.B. No. 1504**

The purpose and intent of this measure is to preserve and share Hawaii's history.

Specifically, this measure:

- (1) Establishes a Museum of Modern Hawaii History; and
- (2) Establishes and appropriates moneys for a task force within the State Foundation on Culture and the Arts to develop plans for the establishment, construction, and operation of a Museum of Modern Hawaii History.

Your Committee received written comments in support of this measure from the Judiciary, Department of Accounting and General Services, State Foundation on Culture and the Arts, and one individual.

Your Committee finds that Hawaii has contributed significantly to national and global events and progress. Your Committee further finds that the establishment of a Museum of Modern Hawaii History will allow the State to highlight these contributions and provide a location to properly exhibit the vast collection of historical documents and artifacts currently within the possession of the Hawaii State Archives.

Your Committee has amended this measure by:

- (1) Clarifying that the representative of the University of Hawaii shall be appointed by the President of the University of Hawaii;
- (2) Clarifying:
  - (A) That the task force shall submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025; and
  - (B) The contents of the report;
- (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. 1504, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1504, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1134 Ways and Means on S.B. No. 1317**

The purpose and intent of this measure is to facilitate access to high-speed broadband internet service.

Specifically, the measure:

- (1) Appropriates an unspecified amount from the state general fund to provide the matching funds required to receive federal funds for the Broadband Equity, Access, and Deployment (BEAD) Program;
- (2) Appropriates an unspecified amount from the funds received by the State from the Infrastructure Investment and Jobs Act (IIJA) for the BEAD Program;
- (3) Appropriates an unspecified amount from state general funds for additional matching fund requirements for federal fund programs related to broadband;
- (4) Requires the Office of the Lieutenant Governor, rather than the University of Hawaii and Hawaii Broadband and Digital Equity Office, to convene the working group that was established pursuant to Act 231, Session Laws of Hawaii 2022, for the purpose of determining the appropriate governance structure to implement, operate, and maintain broadband infrastructure development in the State; and
- (5) Requires the Lieutenant Governor or a designee to serve as the Chair of the foregoing working group.

Your Committee received written comments in support of this measure from the University of Hawaii; Department of Business, Economic Development, and Tourism; Department of Budget and Finance; AARP Hawaii; and one individual.

Your Committee recognizes that access to high-speed internet, which the measure promotes, is essential for Hawaii residents.

Your Committee has amended this measure by:

- (1) Transferring the Hawaii Broadband and Digital Equity Office from the Department of Business, Economic Development, and Tourism to the Office of the Lieutenant Governor on a temporary, four-year basis; and
- (2) Redirecting the measure's appropriations to the Office of the Lieutenant Governor.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1317, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1317, S.D. 3.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Fevella).

**SCRep. 1135 Ways and Means on S.B. No. 1521**

The purpose and intent of this measure is to facilitate planning for the future use of agricultural lands in the State.

Specifically, this measure:



- (1) Requires the Office of Planning and Sustainable Development to create an integrated land use study for lands within the agricultural district; and
- (2) Requires the Hawaii State Energy Office, Department of Agriculture, Department of Transportation, and Hawaii Tourism Authority to update various state functional plans; and
- (3) Appropriates moneys for the study and functional plan updates.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, State Land Use Commission, Hawaii State Energy Office, Hawaii Gas, Hawaiian Electric, Hawaii Farm Bureau, Ulupono Initiative, Hawaii Forest Industry Association, and Climate Protectors Hawaii.

Your Committee received written comments on this measure from the Department of Agriculture and Office of Planning and Sustainable Development.

Your Committee finds that the creation of an integrated land use study that incorporates information and goals from other studies and reports will help the State make decisions on the future use of agricultural lands. However, your Committee acknowledges that this measure may be overly ambitious as presently drafted, and that the scope may need to be narrowed as it moves through the legislative process.

Your Committee has amended this measure by:

- (1) Making a clarifying edit to the purpose section, as recommended by the Office of Planning and Sustainable Development; 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. 1521, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1521, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1136 Ways and Means on S.B. No. 1586**

The purpose and intent of this measure is to promote a healthy agricultural industry in the State.

Specifically, this measure appropriates moneys to the University of Hawaii to establish five full-time equivalent (5.0 FTE) extension specialist agents at the College of Tropical Agriculture and Human Resources.

Your Committee received written comments in support of this measure from the University of Hawaii, Hawaii Farm Bureau, Hawaii Floriculture and Nursery Association, University of Hawaii Professional Assembly, Hawaii Cattlemen's Council, and three individuals.

Your Committee finds that the extension agents of the College of Tropical Agriculture and Human Resources offer critical services to the State's agricultural community, including education, information transfer, and specifically-tailored research. Your Committee further finds that as climate change creates new pressures on agriculture, the services provided by extension agents will become even more critical to the success of Hawaii's farmers.

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. 1586, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1586, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1137 Ways and Means on H.B. No. 1514**

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, 2024; and
- (2) The Office of the Auditor, Legislative Reference Bureau, Office of the Ombudsman, and State Ethics Commission for fiscal year 2023-2024.

Your Committee received testimony in support of this measure from the Office of the Ombudsman, Office of the Auditor, and Legislative Reference Bureau.

Your Committee received testimony in opposition to this measure from one individual.

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 program, 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.

Your Committee has amended this measure by correcting an arithmetic error in section 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 H.B. No. 1514, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1514, 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, 12. Noes, none. Excused, 1 (Kidani).

**SCRep. 1138 Education on H.B. No. 69**

The purpose and intent of this measure is to appropriate funds for the Department of Education's Resources for Enrichment, Athletics/Academics, Culture, and Health program.

Your Committee received testimony in support of this measure from the Department of Education, Hui for Excellence in Education, Hawai'i Afterschool Alliance, Food+ Policy Internship 2023, Hawaii Friends of Restorative Justice, Hawai'i Children's Action Network Speaks!, Island of Hawaii YMCA, and four individuals.

Your Committee finds that the Resources for Enrichment, Athletics/Academics, Culture, and Health (REACH) program provides critical, developmentally-aligned out-of-school time opportunities to students in middle or intermediate public and charter schools at no additional cost. REACH provides these students with opportunities to explore their interests, make positive connections with mentors, and cultivate a sense of belonging. As REACH is the only state-funded out-of-school time program for middle schools in the State, providing additional funding will allow each community to structure and design programs that meet unique needs of area students. This measure appropriates funds for the REACH program to support social and emotional growth and development outside of the classroom.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider the Department of Education's request for an appropriation in the amount of \$2,500,000 for the expansion of REACH to provide more support to schools offering after-school programs.

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 H.B. No. 69, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 69, 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 (Kanuha, Fevella).

**SCRep. 1139 Education on H.B. No. 1045**

The purpose and intent of this measure is to:

- (1) Require a minor student's parent or legal guardian, rather than the student, to produce the required student records when transferring schools;
- (2) Clarify that emancipated minors may produce the required student records when transferring schools;
- (3) Clarify that the transfer process is the same whether a transfer is within the same complex area or to another complex area; and
- (4) Exempt students eligible for assistance provided under the federal McKinney-Vento Homeless Assistance Act of 1987 from producing required student records when transferring schools.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that existing law requires a student transferring to another school to produce a certificate of release from the last school attended. However, as minors do not have legal capacity independent of their parents, except for emancipated minors or minors under the McKinney-Vento Homeless Assistance Act of 1987, the parent or legal guardian is the most appropriate person to provide a certificate of release for a minor student. This measure clarifies Department of Education policies regarding required student records to streamline processes for transfer students.

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 H.B. No. 1045, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1045, H.D. 1, 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 (Kanuha, Fevella).

**SCRep. 1140 Education on H.B. No. 1330**

The purpose and intent of this measure is to appropriate funds to the Department of Education for school bus services.

Your Committee received testimony in support of this measure from the Department of Education, Education Caucus of the Democratic Party of Hawai'i, and one individual.

Your Committee finds that providing Hawai'i's keiki with reliable school bus transportation allows each student to achieve their academic and extracurricular goals while also reducing tardiness and poor attendance. While the Department of Education strives to provide school bus services for public school students, recent challenges such as a shortage of qualified bus drivers has impacted all routes, with rural and remote school bus routes facing a critical shortage. This measure ensures continuity of funding for school bus transportation to ensure all keiki have an opportunity to learn and grow.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider the Department of Education's testimony requesting an appropriation in the amount of \$22,000,000 to expand the pool of qualified drivers at the school level, waive school bus fees until consistent service can resume, and provide flexibility in supporting the Department of Education's current bus contractor staff.

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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1330, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1330, 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 (Kanuha, Fevella).

**SCRep. 1141 (Majority) Health and Human Services on H.B. No. 378**

The purpose and intent of this measure is to:

- (1) Include as a factor for determining whether the issuance of a controlled substances registration is in the public interest, the prevention of activities within an applicant's areas that are potentially injurious to the health, safety, and welfare of the public and neighborhood;
- (2) Establish a Substance Use Disorder Services Clinic Working Group to collaborate and consult on issues relating to addiction recovery and public safety; and
- (3) Require the Substance Use Disorder Services Clinic Working Group to report to the Legislature before the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of Education, Department of Health, and one individual. Your Committee received testimony in opposition to this measure from the CHAMP Clinic and fifty-one individuals. Your Committee received comments on this measure from the Hawai'i Primary Care Association and Hawaii Substance Abuse Coalition.

Your Committee finds that every person who manufactures, distributes, prescribes, dispenses, or conducts reverse distribution with any controlled substance within this State is required to obtain a controlled substance registration issued by the Department of Public Safety. When issuing the registration, the Department is required to determine whether doing so would be inconsistent with the public interest based on numerous factors, including factors relevant to and consistent with the public health and safety. This measure provides further protection to the health and safety of neighboring communities by requiring the Department to consider prevention of activities within an applicant's areas that are potentially injurious to the health, safety, and welfare of the public and neighborhood when a new controlled substance registration is being evaluated for issuance. Furthermore, recommendations by the working group established by this measure, comprised of representatives of various state agencies, schools, methadone clinics, and other stakeholders, will be critical for the Legislature to balance the needs of persons receiving treatment for substance use disorders with the needs of public safety.

Your Committee acknowledges the testimony of CHAMP Clinic and its employees and clients attesting to the essential nature of the clinic's current location that is in close proximity to a bus stop, workplaces, and various other medical facilities, but is also within seven hundred fifty feet of a school. Your Committee further acknowledges the testimony of the Department of Education regarding concerns raised by schools pertaining to the proximity of methadone clinics and certain resulting negative conditions such as disturbances to education and effects on the school's safety and security. Your Committee finds that the balancing of patients' needs to access care and schools that must maintain safety for its students is a multi-faceted, complex issue that cannot be resolved easily and requests that future committees that may hear this measure consider the appropriateness of addressing this issue.

Accordingly, your Committee has amended this measure by inserting an effective date of June 30, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 378, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 378, 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, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1142 Health and Human Services on H.B. No. 1369**

The purpose and intent of this measure is to:

- (1) Repeal the sunset dates of Act 156, Session Laws of Hawaii 2012, and Act 124, Session Laws of Hawaii 2014, to make the Nursing Sustainability Program permanent and permanently exempt the program from the central service and administrative expenses assessments;
- (2) Repeal the Nursing Facility Tax; and
- (3) Appropriate an unspecified amount of funds from the Nursing Facility Sustainability Program Special Fund.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i Primary Care Association, Healthcare Association of Hawaii, The Queen's Health System, Kaiser Permanente Hawai'i, and Hawai'i Pacific Health. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that, in recognition that reimbursements from Medicaid to nursing facilities are less than the actual costs of care provided to Medicaid recipients, the Legislature established the Nursing Facility Sustainability Program and the Nursing Facility Sustainability Program Special Fund in 2012 to increase Medicaid payments to nursing facilities. The program functions by assessing provider fees on health care items or services provided by nursing facilities and using the collected fees as a basis to obtain federal Medicaid matching funds. The aggregate state and federal funds are then distributed to nursing facilities as supplemental payments to reduce uncompensated Medicaid losses, which has successfully helped Hawai'i's nursing facilities continue to treat the most vulnerable patients in the State. The program, however, is scheduled to be repealed on December 31, 2023, with funding provisions scheduled to repeal on June 30, 2024. This measure will enhance and make the Nursing Facility Sustainability Program permanent, which will preserve and improve access to quality health care for Medicaid recipients in the State.

Your Committee has amended this measure by:

- (1) Amending other provisions within the Hawaii Revised Statutes to conform to the statutory amendments made by this measure;
- (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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1369, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1369, 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. 1143 Health and Human Services on H.B. No. 899**

The purpose and intent of this measure is to designate the month of September as Fetal Alcohol Spectrum Disorder Awareness Month to promote public awareness of the risks of alcohol consumption during pregnancy.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawaii Fetal Alcohol Spectrum Disorders (FASD) Action Group, Hawaii Disability Rights Center, and four individuals.

Your Committee finds that prenatal alcohol exposure is the most commonly known cause of preventable birth defects and developmental disorders in the United States. Your Committee also finds that one in twenty children in the United States are born with Fetal Alcohol Spectrum Disorder (FASD), an umbrella term that encompasses the wide array of physical and neurobehavioral developmental disorders caused by in-utero exposure to alcohol. According to testimony received by your Committee, despite data showing FASDs to be more prevalent than autism spectrum disorders, at least ten percent of pregnant women still drink during pregnancy. Furthermore, due to the complex, subtle, and often undetectable nature of FASDs, the preventable lifelong brain-based disorders are often not recognized by parents, health care providers, educators, probation officers, homeless advocates, and society in general, thereby leaving many individuals with FASDs undiagnosed or misdiagnosed, and improperly or untreated. This measure will help promote the public's awareness of the risks of alcohol consumption during pregnancy, increase understanding and the identification of the various symptoms of FASDs, and help individuals with FASD and their families receive the necessary support.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 899, H.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Transportation and Culture and the Arts.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

#### **SCRep. 1144 Water and Land on H.B. No. 1394**

The purpose and intent of this measure is to appropriate funds to the Department of Land and Natural Resources for operating costs and personnel to support the management of certain trailheads as part of the Na Ala Hele Hawaii Trail and Access System program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Land Use Research Foundation of Hawaii, and nine individuals. Your Committee received comments on this measure from the Hawai'i Tourism Authority.

Your Committee finds that the Hawai'i Tourism Authority developed destination management plans for each county, which identified certain "hot spots" that are popular with visitors. Notably, these hot spots are often challenged with overcrowding, congestion, and the degradation of resources due to heavy traffic. Your Committee further finds that many of these hot spots are trailheads that are part of the Na Ala Hele Hawaii Trail and Access System program operated by the Division of Forestry and Wildlife of the Department of Land and Natural Resources. Your Committee finds that funding for personnel and resources would help support management activities on trailheads such as the Kokee region of Kauai; Maunawili Falls and Kaiwa Ridge Trails on Oahu; multiple

areas on Maui; Naha Trail on Lanai; and Pololu Valley, Waipio Valley, and Mauna Kea on Hawaii island. Therefore, this measure appropriates funds to help provide residents and visitors with a positive, enjoyable, and memorable experience while hiking Hawaii's most popular trails.

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. 1394, 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. 1145 Water and Land on H.B. No. 12**

The purpose and intent of this measure is to clarify that a developer is responsible for ensuring that the use of time share units located outside the State for time sharing purposes complies with zoning and land use laws and rules of the jurisdiction where the time share units are located but is not required to submit evidence of such compliance to register in Hawaii.

Your Committee received testimony in support of this measure from the American Resort Development Association-Hawaii, Hilton Grand Vacations, Marriott Vacations Worldwide Corporation, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the 1980 Hawaii Time Share Act — which prohibits time sharing in areas that are not specifically zoned for time sharing -- was enacted to prevent time sharing in local residential neighborhoods that are popular with visitors, such as Hawaii Kai or Kailua, from being disrupted by time sharing activities to the detriment of local residents. However, the 1980 Hawaii Time Share Act did not contemplate that, over time, the State would serve as a regulatory safeguard for Hawaii purchasers of out-of-state time share units, by investigating whether time share units located outside the State were similarly compliant with the foreign zoning and land use requirements of the jurisdiction where the time share units were located.

Your Committee finds that the Department of Commerce and Consumer Affairs has been requiring that developers with time share units located outside the State submit confirmations or legal opinions that the developer's time share units are in compliance with the zoning laws of the jurisdiction where the time share units are located before they can register those units in the State. Your Committee finds that no other state requires this type of information and that developers have complained that complying with the Department's request has caused delays and is burdensome. Therefore, this measure clarifies the existing law and preempts the Department's requirement that a developer submit evidence that its time share units located outside the State are in compliance with foreign zoning and land use laws prior to registration.

Your Committee has heard the testimony of the Department of Commerce and Consumer Affairs, which expressed concerns that this measure, as written, provides inadequate protections and recourse for Hawaii purchasers of time share units located outside the State, as developers would no longer be required to provide any proof of compliance or even make a representation to a purchaser that this is true.

Therefore, your Committee has amended this measure by:

- (1) Requiring a developer to submit a certification to the Department of Commerce and Consumer Affairs that the developer has reviewed and concluded that the time share units located outside the State are in compliance with the zoning and land use laws and regulations of the jurisdiction where the time share units are located; and
- (2) Amending section 1 to reflect its amended purpose.

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. 12, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 12, H.D. 1, 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 (Fevella).

**SCRep. 1146 Water and Land on H.B. No. 153**

The purpose and intent of this measure is to:

- (1) Add a minimum penalty of \$50 and a maximum penalty of \$25,000 per violation of the State Water Code and make each day that a violation exists or continues to exist a separate offense; and
- (2) Require the Commission on Water Resource Management to determine the amount of the penalty based on the circumstances of the violation.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawai'i Reef and Ocean Coalition.

Your Committee finds that in 1987, the State Water Code was adopted to protect the precious water resources of the State. Your Committee further finds that to better enable the Commission on Water Resource Management to carry out its mission, the State Water Code's penalties and fines must be amended and increased to serve as an effective deterrence to violators. Therefore, this measure provides a necessary update to the penalties and fines for violations of the State Water Code to meet the current needs of today.

Your Committee has amended this measure by:

- (1) Increasing the proposed maximum penalty to \$60,000 per violation, from \$25,000 per violation; and

- (2) Amending section 1 to reflect its amended purpose.

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. 153, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 153, 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. 1147 Water and Land on H.B. No. 201**

The purpose and intent of this measure is to expand the definition of “historic property” for purposes of the Historic Preservation Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Association of REALTORS, Land Use Research Foundation of Hawaii, and Hawai'i YIMBY. Your Committee received testimony in opposition to this measure from the Climate Protectors Coalition and Historic Hawai'i Foundation.

Your Committee finds that the current definition of “historic property”, which is based solely on the age of the property, is flawed. When age alone is used as the measure of a property's historical value, what is ignored is the property's relationship to people and events, its architectural distinction, and other valuable historic, scientific, and cultural information associated with the property. Therefore, this measure amends the definition of “historic property” to incorporate these important contextual considerations.

Your Committee has amended this measure by:

- (1) Amending the proposed definition of “historic property” to include, among others, “heiau or an underwater site”, from “heiau and an underwater site”;
- (2) Deleting the proposed provision that would include, without any precedent contextual considerations, any building, structure, object, district, area, or site, including a heiau or underwater site, that is over one hundred years old within the definition of “historic property”; 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. 201, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 201, H.D. 2, 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. 1148 Water and Land on H.B. No. 364**

The purpose and intent of this measure is to clarify that when a trespass involves public land, all state and county law enforcement officers are authorized to and shall enforce trespass laws, without regard to whether the land is owned by the State or by a county.

Your Committee received testimony in support of this measure from the University of Hawai'i System and Hawai'i State Public Library System. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs. Your Committee received comments on this measure from one individual.

Your Committee finds that jurisdictional uncertainties over who is responsible for a certain area of public land can deter necessary and expedient responses from law enforcement to remove trespassers. This delay or inaction from law enforcement can further result in the taking or damaging of the State's precious natural resources and can have serious impacts on public safety. Therefore, this measure removes any jurisdictional confusion by authorizing and requiring all state and county law enforcement officers to enforce trespass laws, without concern over which government entity is jurisdictionally responsible.

Your Committee has amended this measure by:

- (1) Providing that any state or county law enforcement officer “may” enforce the trespass laws, as opposed to “shall”; and
- (2) Inserting language to ensure that Native Hawaiians are not criminalized when exercising their constitutionally protected rights on public lands.

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. 364, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 364, 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. 1149 Water and Land on H.B. No. 365**

The purpose and intent of this measure is to expand the list of 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, Maui Metropolitan Planning Organization, Office of the Mayor of the County of Maui, Department of Planning and Permitting of the City and County of Honolulu, and one member of the Maui County Council.

Your Committee finds that targeted amendments to the definition of “development” as it relates to special management areas will promote, not weaken, the environmental controls that special management area regulations are intended to protect. Under existing law, the broad definition of “development” can trigger a mandatory special management area use permit review for the installation, maintenance, and repair of minor improvements and incidental structures and for trash and vegetation removal that do not generally warrant such intense scrutiny, which can be both costly and time consuming. Therefore, this measure establishes additional exclusions from the definition of “development” to hone and refine the existing law.

Your Committee has amended this measure by exempting “incidental ground disturbances” related to trash removal or invasive vegetation removal from the definition of “development”.

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. 365, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 365, 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. 1150 (Majority) Agriculture and Environment on H.B. No. 307**

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 Committee received testimony in support of this measure from the Office of the Mayor of the County of Hawai‘i; Maui County Farm Bureau; Hawaii Floriculture and Nursery Association; Ponoholo Ranch Limited; Land Use Research Foundation of Hawaii; Hawai‘i Farm Bureau; Local Food Coalition; Ono Nut Farms; Hawaii Cattlemen’s Council, Inc.; Aloha ‘Aina Landscaping LLC; Pacific Floral Exchange, Inc.; Hawaii Crop Improvement Association; and fourteen individuals. Your Committee received comments on this measure from the Department of Agriculture; Bromeliads Hawaii, LLC; and one individual.

Your Committee finds that agricultural park leases are structured to advance agriculture in the State and that long-term leases make it possible for farmers and ranchers to prudently invest in operational and infrastructure improvements on leased lands. Your Committee further finds that when faced with the uncertainty of continued tenancy, lessees have little incentive to make major investments or improvements to their infrastructure or ensure the long-term maintenance of their facilities, which may deteriorate as a result. Thus, this measure allows the Department of Agriculture to extend certain leases with a remaining term of fifteen years or less to encourage further investment and production on agricultural park 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. 307, 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; Ayes with Reservations (Rhoads). Noes, 1 (Awa). Excused, none.

**SCRep. 1151 Agriculture and Environment on H.B. No. 606**

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture, in collaboration with other state agencies, to develop and implement a plan by July 1, 2025, to expand the meat processing capacity in the State to allow for meat from axis deer and other wild game to be processed for distribution by non-profit food distribution services; and
- (2) Appropriate funds for implementation.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of the Mayor of the County of Maui; one member of the County Council of the County of Maui; Maui County Farm Bureau; Ponoholo Ranch Limited; Hawai‘i Forest Industry Association; Hawai‘i Farmers Union United; Hawai‘i Farm Bureau; Hawaii Cattlemen’s Council, Inc.; 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 Human Services.

Your Committee finds that axis deer in Maui County devastate crops, vegetation, and native species and their over-grazing of these plants severely impacts the environment by contributing to soil erosion, which can decrease soil fertility. Despite ongoing efforts to control the growing axis deer population, it is estimated that more than sixty thousand axis deer freely roam Maui County, which has particularly impacted the ranchers and farmers who rely on natural vegetation and robust soil fertility to sustain their livestock and crop rotations. Your Committee further finds that other states facing similar issues have implemented programs that aim to make more food available for underprivileged groups by allowing for the hunting and meat processing of wild game animals. This measure appropriates funds and requires the Department of Agriculture, in collaboration with other state agencies, to develop and implement a plan that allows for axis deer and other wild game to be processed for distribution by nonprofit food distribution services and expand the meat processing capacity 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 H.B. No. 606, 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. 1152 Energy, Economic Development, and Tourism on H.B. No. 192**

The purpose and intent of this measure is to prohibit the sale of certain fluorescent lamps in the State as a new manufactured product, with certain exemptions.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii State Energy Office, Hawai'i Climate Change Mitigation and Adaptation Commission, Department of Environmental Management for the county of Hawai'i, Blue Planet Foundation, Hawai'i Energy, Appliance Standards Awareness Project, Ulupono Initiative, Climate Protectors Hawaii, and nine individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii. Your Committee received comments on this measure from the Alliance for Automotive Innovation.

Your Committee finds that fluorescent bulbs were once the preferred option for many uses. However, light-emitting diodes (LEDs) have emerged as readily-available replacements for fluorescents in a variety of shapes and sizes and do not contain any of the toxic mercury found in fluorescent bulbs. Additionally, LEDs use less energy than fluorescents, last twice as long, and typically cost far less to purchase and operate over their lifetime. This measure will prevent additional toxic pollutants from being brought into the State's ecosystem, reduce energy use, and save consumer money by phasing out the sale of mercury-containing bulbs in 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 H.B. No. 192, 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, none. Excused, 1 (Fukunaga).

**SCRep. 1153 Energy, Economic Development, and Tourism on H.B. No. 963**

The purpose and intent of this measure is to appropriate funds to match federal funds for state broadband initiatives.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor; Department of Business, Economic Development, and Tourism; Department of Budget and Finance; Hawaii State Council on Developmental Disabilities; University of Hawai'i System; Disability and Communication Access Board; Chamber of Commerce Hawaii; Hawaiian Telcom; Broadband Hui; Hawai'i Primary Care Association; AARP Hawai'i; Maui Chamber of Commerce; and three individuals.

Your Committee finds that equitable access to high-speed internet is an essential need for the State and is critical for telehealth services, remote-work, and remote-learning. Your Committee further finds that there are several federal programs that provide significant amounts of funding to states to improve broadband access. However, some of these programs, including the Broadband Equity, Access, and Deployment (BEAD) Program, require matching funds from the State. This measure appropriates funds to maximize access to federal funding and address the lack of broadband accessibility in certain areas of 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 H.B. No. 963, 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 (Fukunaga).

**SCRep. 1154 Energy, Economic Development, and Tourism on H.B. No. 989**

The purpose and intent of this measure is to appropriate funds to the Department of Business, Economic Development, and Tourism for expenses related to building renovations.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Green Infrastructure Authority.

Your Committee finds that the entire fifth floor of the No. 1 Capitol District Building requires extensive renovations due to health and safety concerns and deteriorating conditions. The Department of Business, Economic Development, and Tourism currently occupies the fifth floor of the building and will be required to pay for expenses related to the renovations. In 2022, the Legislature appropriated \$660,000 to the Department of Business, Economic Development, and Tourism to pay for the renovations. However, the Governor line-item vetoed the appropriation as well as other items to comply with the federally mandated Elementary and Secondary School Emergency Relief Funds Maintenance of Effort requirement. This measure will appropriate funds to cover necessary renovation-related expenses not included in the building renovation contract, such as moving and storage of items, replacement of partitions and furniture, and temporary office rental and relocation expenses.

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. 989, 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 (Fukunaga).

**SCRep. 1155 Energy, Economic Development, and Tourism on H.B. No. 991**

The purpose and intent of this measure is to:

- (1) Change the cap for awards to assist businesses applying for the Small Business Innovation Research Grant Program and the Small Business Technology Transfer Grant Program to an unspecified amount; and
- (2) Add purchasing of renewable energy systems as an eligible expense, and clarify that training on both new and existing manufacturing equipment is an eligible expense, for the Manufacturing Development Grant Program.



Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; Chamber of Commerce Hawaii; Hawaii Food Industry Association; Makai Ocean Engineering, Inc.; Oceanit; Hawaii Food Manufacturers Association; and one individual.

Your Committee finds that the Hawaii Technology Development Corporation's core grant programs provide leverage and positive economic development value for the State. These programs further help diversify the State's economy by providing grant incentives for manufacturers and small businesses conducting research for the federal government. Your Committee believes that the existing funds awarded as a reimbursement for grant writing assistance are no longer sufficient and the cap should be increased to encourage new applicants. Additionally, adding renewable energy systems as an eligible expense will help manufacturers offset high energy costs in the State. This measure will provide funding to spur more economic growth and continue the advancement of technology and innovation in 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 H.B. No. 991, 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 (Fukunaga).

**SCRep. 1156 Energy, Economic Development, and Tourism on H.B. No. 999**

The purpose and intent of this measure is to promote economic recovery and diversification by:

- (1) Establishing state goals for economic growth fueled by innovation and technology;
- (2) Appropriating funds to the Hawaii Technology Development Corporation to implement specific projects that address those goals; and
- (3) Requiring the Hawaii Technology Development Corporation to submit annual reports over three years to the Legislature.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; Chamber of Commerce Hawaii; Makai Ocean Engineering, Inc.; Oceanit; Hawaii Fish Company, Inc.; Island Plastic Bags, Inc.; Hawaii Investment Ready; Hyperspective Studios, Inc.; Blue Startups; Purple Mai'a; Elemental Excelsator; Mana Up; Startup Capital Ventures x SBI Fund, LP; Hawaii Venture Capital Association; Min Plastics and Supply, Inc.; Nalu Scientific, LLC; Hawaii Food Manufacturers Association; 3D Innovations, LLC; Pacific Asian Center for Entrepreneurship; Hawaii Hui, LLC; and four individuals.

Your Committee finds that the State's ongoing economic recovery from the coronavirus disease 2019 pandemic has emphasized the State's need to accelerate its economic diversification efforts through substantial strategic and coordinated investments. Your Committee believes that, through public-private partnerships, Hawaii Technology Development Corporation programs will provide leverage to the State and accelerate economic diversification. This measure will put the State on the path toward economic prosperity by having the Hawaii Technology Development Corporation serve as a facilitative catalyst for innovation in the State.

Your Committee has amended this measure by:

- (1) Inserting certain language from Senate Bill No. 1297, SD2 (2023) to:
  - (A) Establish a three-year Hawaii Office of Naval Research Grant Program to provide grants to qualified businesses conducting research and development in alternative energy; and
  - (B) Establish the Alternative Energy Research and Development Revolving Fund and make a blank appropriation for the fund;
- (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. 999, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 999, 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 (Fukunaga).

**SCRep. 1157 Judiciary on H.B. No. 99**

The purpose and intent of this measure is to limit to \$100 the total amount of cash a candidate, candidate committee, or noncandidate committee may accept from a single person during each election period.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Commission to Improve Standards of Conduct, and two individuals.

Your Committee finds that cash contributions are difficult to trace. Your Committee further finds that there should be a cap on the amount of cash that a candidate, candidate committee, or noncandidate committee may accept in an election year. This measure will make violations of certain campaign finance law violations easier to detect and prevent.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 99, 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. 1158 (Majority) Judiciary on H.B. No. 130**

The purpose and intent of this measure is to change the deadline for the validation of ballots following an election.

Your Committee received testimony in support of this measure from the Office of Elections and League of Women Voters of Hawaii. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that section 11-106, Hawaii Revised Statutes, provides that voters have five business days after the election to cure their ballots. Currently, the Statehood Day holiday for the Primary Election and Veterans' Day holiday for the General Election make the time required for the County Elections Divisions to validate ballots up to nine calendar days after the election. This does not align with the deadline in section 11-108(c), Hawaii Revised Statutes, of seven days after an election for the clerks to complete the validation process. This measure will align the deadline by which voters have to cure any deficiency with their return envelope with the deadline for the county election divisions to validate ballots.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 130, 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, 1 (Awa). Excused, none.

**SCRep. 1159 Judiciary on H.B. No. 137**

The purpose and intent of this measure is to, beginning January 1, 2025, require the statement of expenditures filed by lobbyists and other persons who engage in lobbying activities to include certain information on the identity of the legislative or administrative action that was commented on, supported by, or opposed by the person filing the statement during the statement period.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Commission to Improve Standards of Conduct, League of Women Voters of Hawaii, and two individuals.

Your Committee finds that the State's lobbying laws are intended to provide transparency around lobbyist activity. This measure furthers that purpose by requiring specific descriptions of the legislative measures and other details on which the lobbyist engaged, versus a broad reference to the subject area. While this may put an additional burden on lobbyists, the net benefit to the public greatly outweighs the burden.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 137, 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, 5. Noes, none. Excused, none.

**SCRep. 1160 Judiciary on H.B. No. 140**

The purpose and intent of this measure is to provide the Hawai'i State Ethics Commission with the discretion to maintain or destroy records of financial disclosure statements beyond the current six-year statutory requirement, to be applied retroactively to applicable disclosures that are in the Hawai'i State Ethics Commission's possession and control.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that section 84-17.5, Hawaii Revised Statutes, requires financial disclosure statements to be destroyed after six years. With respect to publicly filed statements, it is unclear whether this requirement serves a purpose. Public financial disclosure statements are frequently downloaded or posted on other websites. This information will never be truly destroyed, and it may be misleading to treat these documents as if they could be removed from the internet. This housekeeping measure helps establish greater uniformity with document retention requirements and allows the Hawai'i State Ethics Commission to manage records more efficiently.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 140, 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. 1161 Judiciary on H.B. No. 142**

The purpose and intent of this measure is to prohibit lobbyists from making gifts that are prohibited under state ethics law.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Commission to Improve Standards of Conduct, and two individuals.

Your Committee finds that the same gifting regulations that apply to state employees, legislators, and board and commission members should apply to lobbyists. This will lessen the number of situations where a legislator or state employee must refuse a prohibited gift. This measure will prohibit lobbyists from making prohibited gifts to legislators and state employees with administrative fines imposed for violations.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 142, 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. 1162 Judiciary on H.B. No. 97**

The purpose and intent of this measure is to:

- (1) Require the Campaign Spending Commission to serve preliminary determinations of probable cause via first-class mail and electronic mail; and
- (2) Establish a presumption of receipt when mailed to the address contained in the candidate or committee organizational report.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Commission to Improve Standards of Conduct, and one individual.

Your Committee finds that presently, the Campaign Spending Commission is required to serve the preliminary determination of probable cause by certified mail. The Campaign Spending Commission, in addition to certified mail, has been sending the preliminary determination of probable cause by first-class mail. In several cases, although the document was sent by first-class mail and was not returned as undeliverable, if the document was also sent by certified mail and is not claimed by the candidate or committee, then it is returned to the Campaign Spending Commission. Under existing law, if there is no service by certified mail, the Campaign Spending Commission is unable to enforce its order and the case remains in limbo. Therefore, allowing the Campaign Spending Commission to serve the preliminary determination of probable cause by first-class mail will allow the Campaign Spending Commission to proceed with enforcement of its orders.

Your Committee has amended this measure by:

- (1) Removing language that would have required the Campaign Spending Commission to serve the preliminary determination of probable cause by electronic mail;
- (2) Inserting language that specifies that, as a courtesy, the Campaign Spending Commission shall send the preliminary determination of probable cause to the respondent by electronic mail; provided that the electronic mail shall not constitute service; and
- (3) Increasing the number of days for the presumption of receipt when mailed to the address contained in the candidate or committee organizational report to take effect from five days to seven days.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 97, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 97, 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, none.

**SCRep. 1163 Judiciary on H.B. No. 138**

The purpose and intent of this measure is to require the Hawai'i State Ethics Commission to establish and administer a lobbyist training course and make the lobbyist training course mandatory for all lobbyists.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Commission to Improve Standards of Conduct, League of Women Voters of Hawaii, and two individuals.

Your Committee finds that education is one of the core functions of the Hawai'i State Ethics Commission. In addition to providing ethics training for state elected officials, employees, and members of state boards and commissions, the Hawai'i State Ethics Commission staff conducts annual trainings for registered lobbyists and organizations engaged in lobbying activities at the state level. Requiring lobbyists to take a lobbyist training course will help educate organizations and lobbyists about the state lobbyists law and rules, and ensure greater compliance with the lobbyist registration laws.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 138, 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. 1164 Energy, Economic Development, and Tourism on H.B. No. 1193**

The purpose and intent of this measure is to:

- (1) Extend the repeal date of the tax credit for research activities for an additional five years;
- (2) Add a maximum amount on the tax credit for research activities that may be claimed by a taxpayer and its related entities;

- (3) Consolidate the survey and certification requirements for the tax credit for research activities;
- (4) Change the annual aggregate cap amount of the tax credit for research activities to an unspecified amount;
- (5) Require certification of the tax credit for research activities on a first—come, first—served basis to be based on the date that a complete application is received, subject to certain conditions; and
- (6) Require a qualified high technology business and at least seventy—five percent of its employees to occupy a business address and location in the State to qualify for the tax credit for research activities.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Chamber of Commerce Hawaii; Makai Ocean Engineering, Inc.; Oceanit; and Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of the Attorney General, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that the Small Business Innovation Research (SBIR) Program is a highly competitive federal program that encourages domestic small businesses to engage in federal research and development that has the potential for commercialization. Through the Hawaii SBIR Program, Hawaii-based companies receive matching funds that can help them to enhance their project development, compete for more lucrative awards, and ultimately reach successful commercialization. However, many businesses are unable to access the program. For example, as in 2022, the entire \$5,000,000 cap for the Hawaii SBIR Program was claimed in the first twenty-three seconds after the applications opened. Your Committee believes that providing a maximum amount of tax credits that a taxpayer and its related entities may be eligible for and changing the annual aggregate cap amount of tax credits allowed in a calendar year will enable more Hawaii-based companies to access the tax credit for research activities. Your Committee further finds that streamlining certain procedures and requirements for the collection of information and approval of applications for the tax credit for research activities will improve the process and allow more businesses to participate in the program. This measure will allow the Hawaii Technology Development Corporation to continue to provide the necessary support to local businesses in the State through a commercialization assistance program.

Your Committee has amended this measure by:

- (1) Inserting language clarifying that, in determining the allowable credit, research that has been funded by a grant, forgivable loan, or other amounts not included in gross income shall not be eligible research;
- (2) Amending the certification deadline to March 31 of each calendar year;
- (3) Deleting language that would have required a qualified high technology business to occupy a business location and address in the State where at least seventy-five percent of the business's employees are located; 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 H.B. No. 1193, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1193, 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 (Fukunaga).

**SCRep. 1165 Energy, Economic Development, and Tourism on H.B. No. 1194**

The purpose and intent of this measure is to ensure that Hawaii is eligible for the substantial benefits of a United States Economic Development Administration-designated economic development district by:

- (1) Establishing the Hawaii Economic Development District Planning Organization and governing board to be administratively attached to the Office of Planning and Sustainable Development; and
- (2) Establishing four full-time equivalent temporary positions and appropriating funds to support the operations of the Hawaii Economic Development District Planning Organization.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and Maui Chamber of Commerce.

Your Committee finds that designation as an economic development district by the United States Economic Development Administration advances the establishment of a long-term relationship with the Administration and will allow the State to benefit significantly from increased access to federal funding to support the continuous development and implementation of the Statewide Comprehensive Economic Development Strategy. Additionally, the Economic Development Administration is much more likely to award funds to projects within a designated economic development district. This measure will provide necessary resources and satisfy statutory requirements to qualify the State for designation as an economic development district by the United States Economic Development Administration.

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. 1194, 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 (Fukunaga).

**SCRep. 1166 Energy, Economic Development, and Tourism on H.B. No. 1408**

The purpose and intent of this measure is to:

- (1) Establish the Digital Equity Grant Program to award grants to deploy digital equity projects to covered populations consisting of certain individuals in the State; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawai'i State Council on Developmental Disabilities; Hawai'i State Public Library System; University of Hawai'i System; Hawai'i Climate Change Mitigation and Adaptation Commission; Disability and Communication Access Board; Kapolei Chamber of Commerce; Hawaiian Telcom; Broadband Hui; AARP Hawai'i; and three individuals.

Your Committee finds that digital equity across the State and in every community is essential to the well-being and economic realities of all the State's residents. Inequitable digital access has had a tremendously negative effect in many areas, with the devastating impacts of the recent coronavirus disease 2019 pandemic highlighting the need for digital access to all residents across the State, particularly in rural and socio-economically disadvantaged communities. Your Committee believes that digital literacy and broadband access are critical tools for persons seeking access to social services, such as unemployment, Supplemental Nutrition Assistance Program benefits, vital records, and other essential government, educational, and medical services. This measure will enhance the State's overall economic development, education, health care, and emergency services by furthering digital equity for all residents, consumers, and businesses across 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 H.B. No. 1408, 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, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1167      Judiciary on H.B. No. 90**

The purpose and intent of this measure is to require candidate committees and noncandidate committees to file fundraiser notices regardless of the price or suggested contribution for attending the function.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Commission to Improve Standards of Conduct, and two individuals.

Your Committee finds that presently, a fundraiser notice of intent only needs to be filed with the Campaign Spending Commission if the price or suggested contribution for attending the fundraiser is more than \$25 per person. This measure will increase transparency in the political fundraising process by requiring a notice of intent to be filed with the Commission regardless of the price charged for attendance to the fundraiser.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 90, 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; Ayes with Reservations (San Buenaventura). Noes, none. Excused, none.

**SCRep. 1168      Judiciary on H.B. No. 93**

The purpose and intent of this measure is to require the Campaign Spending Commission to publish on its website the names of candidates and persons who qualify as noncandidate committees who fail to file an organizational report or a corrected organizational report with the Campaign Spending Commission.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Commission to Improve Standards of Conduct, and two individuals.

Your Committee finds that a noncandidate committee cannot file required disclosure reports without first registering with the Campaign Spending Commission by filing an organizational report. Your Committee further finds that organizational reports should be timely filed and the failure to file organizational reports should be disclosed to the public in some manner. This measure will allow the Campaign Spending Commission to publish the names of noncandidate committees who fail to file an organizational report, which will motivate them to do so.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 93, 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. 1169      Labor and Technology on H.B. No. 161**

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 United Public Workers, AFSCME Local 646, AFL-CIO; University of Hawaii Professional Assembly; Hawaii State Teachers Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; State of Hawaii Organization of Police Officers; and Hawaii Fire Fighters Association. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Hawaii Labor Relations Board (Board) is a quasi-judicial board that ensures that collective bargaining is conducted in accordance with State 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. Your Committee notes that, under existing law, the representative of labor is appointed by the Governor from a list of three nominees submitted by mutual agreement from a majority vote of the six exclusive representatives of the fifteen collective bargaining units. 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.

Your Committee has amended this measure by:

- (1) Deleting the timing requirement that the Governor transmit the nominees name to the Senate for advice and consent within 20 days of submission of the name to the Governor; and
- (2) Deleting the provision that would have required the exclusive representatives to transmit the nominee's name directly to the Senate for confirmation if the Governor fails to submit the name of the nominee to the Senate for advice and consent.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 161, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 161, H.D. 1, 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 (Ihara, Fevella).

**SCRep. 1170 Labor and Technology on H.B. No. 1006**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 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 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 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1006, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1171 Labor and Technology on H.B. No. 1007**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 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 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 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1007, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1172 Labor and Technology on H.B. No. 1008**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (9) and for 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 (9) 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 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1008, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1173 Labor and Technology on H.B. No. 1009**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (10) and for their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii Health Systems Corporation.

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 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1009, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1174 Labor and Technology on H.B. No. 1010**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 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 received testimony in support of this measure from the Department of Budget and Finance and Hawaii Health Systems Corporation.

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 if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1010, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1175 Labor and Technology on H.B. No. 1011**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 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 received testimony in support of this measure from the Department of Budget and Finance; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii Health Systems Corporation.

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 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1011, 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 (Ihara).

**SCRep. 1176 Labor and Technology on H.B. No. 1012**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 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 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 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1012, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1177 Labor and Technology on H.B. No. 38**

The purpose and intent of this measure is to reclassify the Human Resources Development Special Fund as a revolving fund pursuant to the recommendation made by the Auditor in Auditor's Report No. 22-12, which reviewed the special funds, revolving funds, trust funds and trust accounts of the Department of Human Resources Development.

Your Committee received testimony in support of this measure from the Department of Human Resources Development. Your Committee received comments from the Tax Foundation of Hawaii.

Your Committee finds that the Human Resources Development Special Fund was established to support the Department's entrepreneurial initiatives, including claims management fees for administering workers compensation claims for charter schools and other administrative fees, and fees from training activities, programs, and administration. Your Committee further finds that the costs for these initiatives, training activities, and programs are replenished through fees assessed for those services, which aligns with the function and definition of a revolving fund as defined by section 37-62, Hawaii Revised Statutes.

Your Committee recognizes that for the correct conversion of the special fund to a revolving fund, a corresponding adjustment must be made to the operating budget bill to change the special fund ceiling (B funds) to a revolving fund ceiling (W funds).

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 38, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1178 Labor and Technology on H.B. No. 564**

The purpose and intent of this measure is to appropriate an unspecified amount of funds for the Department of Human Resources Development to:

- (1) Establish two full-time equivalent (2.0 FTE) Information Technology Specialist positions;
- (2) Upgrade information technology systems, including network upgrades, and purchase and install desktop computers, workstations, and laptops; and
- (3) Train personnel.

Your Committee received testimony in support of this measure from the Department of Human Resources Development.

Your Committee finds that this measure is necessary for the Department of Human Resources Development to administer the state human resources program more effectively and efficiently. According to oral testimony received by your Committee, the Department currently has one information technology specialist to support the entire department. This measure provides necessary resources to the Department of Human Resources Development.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 564, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1179 Labor and Technology on H.B. No. 717**

The purpose and intent of this measure is to, beginning July 1, 2023, prohibit legislators and public employees from taking or participating in certain actions related to the public employment of, or award of contracts to, relatives or household members.

Your Committee received testimony in support of this measure from the Department of Human Resources Development, Hawaii State Ethics Commission, Holomua Collaborative, and four individuals.

Your Committee finds that the State Ethics Commission receives numerous complaints alleging unwarranted benefits or preferential treatment to an employer's relatives each year. According to testimony received by your Committee, the Commission's investigations into these complaints are confidential so that even when no ethics code violations are found, the Commission cannot adequately address the appearance of impropriety. Your Committee recognizes that the existing fair treatment law is not enough to address the appearance of impropriety that occurs with the hiring or promotion of an employer's relative. This measure seeks to promote faith in state government by improving standards of conduct regarding nepotism within state agencies.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 717, 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 (Ihara).



**SCRep. 1180 Labor and Technology on H.B. No. 1506**

The purpose and intent of this measure is to:

- (1) Require that the purpose of investments of the Employee's Retirement System shall be for the exclusive benefit of its members and their beneficiaries;
- (2) Require the Employees' Retirement System to consider, in evaluating venture capital investments, the benefits to its members and their beneficiaries;
- (3) Encourage the Employees' Retirement System to consider, in evaluating venture capital investments, opportunities in industries that will sustain Hawaii's natural environment or produce economic opportunities for its residents;
- (4) Require the Board of Trustees of the Employees' Retirement System to report the rationale for not investing in industries that will sustain Hawaii's natural environment or produce economic opportunities for its residents in its annual report to the Legislature; and
- (5) Appropriate an unspecified amount of funds to be invested by the Employees' Retirement System.

Your Committee received testimony in support of this measure from the Employees' Retirement System and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure would help the Board of Trustees of the Employees' Retirement System pursue more financially sound investments locally. According to oral testimony received by your Committee, this measure would allow the Board to expand into ESG (environmental, social, and governance) and infrastructure-focused investments to continue its efforts to deploy capital where financially feasible to the local economy. Your Committee further finds that this measure would better position the System to meet its fiduciary responsibilities to its members while also lowering the State's unfunded liabilities.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1506, 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 (Ihara).

**SCRep. 1181 Labor and Technology on H.B. No. 1000**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (1) and for their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii Health Systems Corporation.

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 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1000, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1182 Labor and Technology on H.B. No. 1001**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 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 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 if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1001, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1183 Labor and Technology on H.B. No. 1002**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 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 received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii Health Systems Corporation.

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 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1002, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1184 Labor and Technology on H.B. No. 1003**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 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 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 if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1003, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1185 Labor and Technology on H.B. No. 1004**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (5) and for their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, Hawaii State Teachers Association, and one individual.

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 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1004, 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, 3. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1186 Labor and Technology on H.B. No. 1005**

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2023-2025 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 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 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1005, H.D. 1, and recommends that it pass 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 (Ihara, Fevella).

**SCRep. 1187 Housing on H.B. No. 674**

The purpose and intent of this measure is to repeal the percentage requirements for the Hawaii Public Housing Authority related to the admission of applicants, with or without preferences, into federal and state low-income public housing units.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority.

Your Committee finds that federal regulations allow public housing agencies to develop tenant residency requirements or local preferences for the selection and admission process for their public housing programs. Existing state law requires the Hawaii Public Housing Authority to establish maximum limits of annual net income for tenant selection and conditions as to eligibility or preference, provided that not less than fifty percent of available units shall be for applicants without preference and up to fifty percent of available units shall be for applicants with preference. According to testimony received by your Committee, the removal of preference

percentage requirements would allow the Hawaii Public Housing Authority to conduct its admission of applicants into federal and state low-income public housing units in a more fair and appropriate manner based on the State's current needs and availability of funds, and according to its adopted administrative rules, which will continue to prioritize housing for families with preference through its non-profit partners.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 674, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 674, 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. 1188 Housing on H.B. No. 675**

The purpose and intent of this measure is to require, if sufficient funding is available, the Hawaii Housing Finance and Development Corporation (HHFDC) to open at minimum two application periods each year for the receipt of applications for financing for the development of affordable housing in the State from the Low-Income Housing Tax Credit Program, Hula Mae Multi-Family Revenue Bond Program, Rental Housing Revolving Fund Program, and Dwelling Unit Revolving Fund Program.

Your Committee received testimony in support of this measure from the Office of the Governor's Chief Housing Officer, Hawaii Housing Finance and Development Corporation, EAH Housing, and one individual.

Your Committee finds that there is a critical housing shortage in the state. HHFDC currently requires projects to submit approved permits for housing developments prior to applying for tax credits, bonds, and the Rental Housing Revolving Fund Program. This measure will therefore increase the number of opportunities for HHFDC to award funding to developers of affordable housing and reduce regulatory constraints and delays to utilize financing more effectively and efficiently.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 675, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 675, 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. 1189 Housing on H.B. No. 679**

The purpose and intent of this measure is to amend the general fund appropriation to the Hawaii Housing Finance and Development Corporation's Rental Housing Revolving Fund under Act 236, Session Laws of Hawaii 2022, to ensure the State meets its American Rescue Plan Act maintenance of effort obligations.

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

Your Committee finds that Act 236, Session Laws of Hawaii 2022, Section 3, appropriated \$300,000,000 for infusion into the Rental Housing Revolving Fund (RHRF). However, Governor Ige conditioned expenditure of the funds to be after June 30, 2023 to comply with the federal American Rescue Plan Act. According to testimony received by your Committee, this measure is critical to the Hawaii Housing Finance and Development Corporation's ability to fund the RHRF financing award commitments that were made last year and extends the lapse date to the following fiscal year to further allow for the expenditure of general funds into RHRF to fulfill its financing award commitments and maintain the financial pipeline for affordable housing projects.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 679, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 679, 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. 1190 Housing on H.B. No. 992**

The purpose and intent of this measure is to clarify Act 248, Session Laws of Hawaii 2022, as it pertains to the appropriation for the Affordable Homeownership 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 Act 248, Session Laws of Hawaii 2022, in part, appropriates general funds for the Hawaii Housing Finance and Development Corporation to provide, in whole or in part, loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects. This measure clarifies that the funds be deposited into the Affordable Homeownership Revolving Fund then expended out of the fund, allowing monies to revolve back into the fund when loans are repaid, as intended.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 992, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 992, 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. 1191 Housing on H.B. No. 1246**

The purpose and intent of this measure is to:

- (1) Authorizes the Hawaii Housing Finance Development Corporation to issue bonds for infrastructure projects and to finance the development of regional state infrastructure projects;
- (2) Authorize the issuance of an unspecified amount of general obligation bonds with the funds to be deposited into the Dwelling Unit Revolving Fund; and
- (3) Appropriate an unspecified amount of funds into and out of the Dwelling Unit Revolving Fund.

Your Committee received testimony in support of this measure from the Chief Housing Officer of the Office of the Governor; Hawaii Housing Finance and Development Corporation; Hawai'i Association of REALTORS; NAIOP Commercial Real Estate Development Association, Hawaii Chapter; EAH Housing; and Housing Hawaii's Future. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the cost of off-site infrastructure is a major barrier to the development of affordable housing statewide. These costs are typically paid by private housing developers, who in turn, pass them on to homebuyers in the form of higher prices. Accordingly, this measure offers another source of funding for counties to pay for housing infrastructure to increase affordable housing inventory in the State. Additionally, according to testimony received by your Committees, this measure will also help offset some of the burden on the Dwelling Unit Revolving Fund, which is currently being depleted by the State's historical infrastructure obligations in Waiahole Valley and in the Villages of Kapolei.

Your Committee has amended this measure by:

- (1) Clarifying that the Hawaii Housing Finance and Development Corporation may issue bonds for infrastructure projects that are for a housing project or projects;
- (2) Inserting language to require the Hawaii Housing Finance and Development Corporation to submit a report to the Legislature on the housing units to be generated by the infrastructure projects;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1246, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1246, 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. 1192 Housing on H.B. No. 1395**

The purpose and intent of this measure is to appropriate funds for the planning and design for up to one hundred fourteen affordable housing units at the Kapaa public housing project site in Kapaa, Kauai.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority.

Your Committee finds that the Kapaa public housing project is a federal public housing property that consists of thirty-six units and was constructed nearly sixty years ago. The Hawaii Public Housing Authority's Ka Lei Momi Project aims to redevelop certain underutilized state assets into ten thousand new affordable housing units statewide through developing a combination of different housing types and to deconcentrate poverty within the State's communities and empower low-income families by providing them with greater access to better healthcare, schooling, and job opportunities. This measure would redevelop the Kapaa public housing project as a part of the Ka Lei Momi Project, with a one-to-one replacement for all existing units on the site and add an additional seventy-eight units to help house more residents in the State. Your Committee notes that the total budget for the Ka Lei Momi Project is \$62,200,000.

Your Committee has amended this measure by:

- (1) Reinserting an appropriation amount of \$2,000,000;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1395, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1395, 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. 1193 Agriculture and Environment on H.B. No. 974**

The purpose and intent of this measure is to:

- (1) Establish a program grant specialist position within the Department of Agriculture and appropriate funds for the position; and
- (2) Require the program grant specialist to prioritize assistance for farmers and ranchers who produce local food for which at least some portion is consumed within the State.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of Hawaiian Affairs; Food+ Policy Internship 2023; Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i; Ulupono Initiative; Hawai'i Farm Bureau; Hawai'i Reef and Ocean Coalition; Climate Protectors Hawaii; Hawaii Cattlemen's Council, Inc.; Hawai'i Seed Growers Network; and three individuals.

Your Committee finds that the decrease in direct federal appropriations for agriculture has resulted in a fiscal policy landscape characterized by a dependance on and competition for limited grant funding options. Grant writing typically involves complex application processes that can be difficult to navigate, particularly for farmers and ranchers heavily preoccupied with their day-to-day farming or ranching operations. Your Committee further finds that farmers and ranchers can often lack the time, know-how, and skills required to draft compelling grant applications, despite clear and apparent needs for funding of their operations, which in itself can often deter farmers and ranchers from applying all together. Therefore, this measure establishes and appropriates funds for a grant specialist position at the Department of Agriculture to assist farmers and ranchers in applying for and obtaining grants offered by the United States Department of Agriculture and other sources.

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. 974, 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. 1194 Agriculture and Environment on H.B. No. 975**

The purpose and intent of this measure is to clarify the requirements for participation under the Cover Crop Reimbursement Pilot Program.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farmers Union United, Hawai'i Farm Bureau, and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Smokers Alliance. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the Cover Crop Reimbursement Pilot Program was established by Act 312, Session Laws of Hawaii 2022, to provide an up to seventy-five percent cost reimbursement for farming operations to feasibly acquire cover crop seeds, green manure, or compost. Your Committee recognizes that the use of cover crops, green manure, and compost increases agricultural productivity and is beneficial for sustainably building soil structure and soil nutrient capacity over the long-term, but can often be costly and expensive to completely implement. This housekeeping measure addresses potential deficiencies of the Cover Crop Reimbursement Pilot Program by clarifying requirements for the submission of applications and disbursement of grants for participants to strengthen this program and enhance the sustainability of agricultural lands 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 H.B. No. 975, 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, 5. Noes, none. Excused, none.

**SCRep. 1195 Agriculture and Environment on H.B. No. 1149**

The purpose and intent of this measure is to appropriate funds for existing positions and activities related to coconut rhinoceros beetle infestation control.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Department of Agriculture; East Oahu County Farm Bureau; Pacific Agricultural Land Management Systems; Palakamoon Farms; Waimanalo Agricultural Association; Happy Plants Nursery; Island Grower Supplies, LLC; Natura Nursery; Coastline Landscaping; Coordinating Group on Alien Pest Species; Island Food Scaping; Waimanalo Agricultural Association; University of Hawaii Professional Assembly; and six individuals.

Your Committee finds that the coconut rhinoceros beetle is a major pest of coconut and ornamental palms and can also be found in betelnut, Pandanus species, banana, pineapple, papaya, sugarcane, and taro plants. The coconut rhinoceros beetle damages living palms and either kills the trees by direct damage, or exposes the tree for damage and death by other insects. The coconut rhinoceros beetle thrives on islands in the Pacific due to a lack of natural predators and in Palau, where the beetle first invaded in 1942, the

coconut palm was eradicated entirely on some islands. Your Committee further acknowledges that the coconut rhinoceros beetle was initially identified on Oahu in 2013 at the Joint Base Pearl Harbor-Hickam during a routine survey by the Department of Agriculture and the University of Hawaii. The unregulated movement of green waste has led to the spread of the coconut rhinoceros beetle throughout Oahu and continued investment in monitoring, research, and management is necessary to mitigate further damage on Oahu and prevent the beetle's spread to other islands. Therefore, this measure appropriates funds to support existing coconut rhinoceros beetle response positions and activities to mitigate and reduce the presence and detrimental impacts of the coconut rhinoceros beetle.

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. 1149, 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, 5. Noes, none. Excused, none.

**SCRep. 1196 Agriculture and Environment on H.B. No. 1248**

The purpose and intent of this measure is to appropriate funds to the Department of Agriculture for the continued administration of the Hawaii Healthy Food Incentive Program and to provide matching funds to beneficiaries who participate in the Supplemental Nutrition Assistance Program.

Your Committee received testimony in support of this measure from the Department of Human Services; Department of Agriculture; Executive Office on Early Learning; one member of the County Council of the County of Maui; Aloha Harvest; Hawai'i Primary Care Association; We Are One, Inc.; Ho'ōla Farms; Okimoto Corporation; Hawai'i Family Caregiver Coalition; Hawai'i Alliance for Progressive Action; Food+ Policy Internship 2023; Hawai'i Reef and Ocean Coalition; Hawai'i Pacific Health; Hawaii Farmers Union United – Hana Chapter; Hawai'i Food Bank; Malama Kaua'i, Hawaii Medical Service Association; Hawaii Appleseed Center for Law and Economic Justice; The Kūpuna Caucus of the Democratic Party of Hawai'i; American Heart Association; Farm Link Hawai'i; Hawai'i Public Health Institute; Hawai'i Children's Action Network Speaks!; Ulupono Initiative; 350Hawaii; Hawaii Food Industry Association; Hawai'i Farm Bureau; Hawai'i Farmers Union United; Early Childhood Action Strategy; Aloha Care; Hawai'i Good Food Alliance; Hawai'i Hunger Action Network; The Food Basket; KTA Super Stores; Hawai'i Chapter of the American Academy of Pediatrics; Kaiser Permanente; and fifty-five individuals.

Your Committee finds that the Supplemental Nutrition Assistance Program (SNAP) is the largest federal food assistance program in the nation, which provides eligible Hawaii residents with monthly benefits to purchase food. According to the Center on Budget and Policy Priorities, more than sixty percent of SNAP beneficiaries are members of families with children in Hawaii. Your Committee additionally finds that the Hawaii Healthy Food Incentive Program, also known as Double Up Food Bucks or DA BUX, is a state program that offers discounts on Hawaii grown fruits and vegetables to low-income recipients of the Supplemental Nutrition Assistance Program. The DA BUX Program has the added benefit of supporting local agriculture and enhancing public health and food security, while retaining dollars in-state to support Hawaii's local economy. Your Committee further acknowledges that the 2019 Coronavirus Disease Pandemic has exacerbated the need for programs like DA BUX, since many residents continue to face economic and health-related challenges in its aftermath. Therefore, this measure appropriates funds for the continued administration of the Hawaii Healthy Food Incentive Program and provides matching funds to eligible Supplemental Nutrition Assistance Program recipients 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 H.B. No. 1248, 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. 1197 Agriculture and Environment on H.B. No. 1382**

The purpose and intent of this measure is to:

- (1) Provide for the donation of wild game to under-resourced communities;
- (2) Establish a meat processing task force to develop and implement a masterplan to expand meat processing capacity in the State; and
- (3) Appropriate funds for the meat processing task force.

Your Committee received testimony in support of this measure from the Agribusiness Development Corporation; Department of Agriculture; Office of the Mayor of the County of Maui; one member of the County Council of the County of Maui; Hawai'i Forest Industry Association; Hawai'i Farmers Union United; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and one individual.

Your Committee finds that axis deer is an invasive species in the State, which is especially prolific in the County of Maui. Axis deer eat cattle food sources, agricultural crops, contribute to soil erosion through over grazing, and threaten native plant species. Your Committee additionally finds that nonprofit organizations that aim to fight hunger in the State often lack fresh sources of animal protein to offer and make available for residents in need. The intent of this measure is to tackle these two issues simultaneously by encouraging the reduction of the axis deer population on Maui and providing locally-sourced meat to the State's hungry and undernourished. This measure also establishes and appropriates funds for a meat processing task force to develop and execute a masterplan to increase meat processing in the State, which aligns with the State's mandate to bolster local agricultural sustainability and food security 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 is in accord with the intent and purpose of H.B. No. 1382, 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, 5; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

**SCRep. 1198 Public Safety and Intergovernmental and Military Affairs on H.B. No. 1033**

The purpose and intent of this measure is to add to the State Building Code Council one member who represents the Hawaii Emergency Management Agency, to be appointed by the Director of Hawaii Emergency Management.

Your Committee received testimony in support of this measure from the Department of Defense, Hawai'i Emergency Management Agency, and Hawaii State Energy Office.

Your Committee finds that Federal Emergency Management Agency grants are available to help communities with mitigation projects to reduce risks from natural and human-caused hazards and threats. However, the State has not been able to successfully compete for and obtain those funds, largely due to the significant obstacle of the State's building code. The State's building code varies considerably from county to county, with none of the counties meeting the most current national standards. This measure will provide the State Building Code Council with necessary expertise on how to update building codes to make the State more resilient to future disasters and hazards and make the State more competitive in securing federal mitigation grants by adding a Hawaii Emergency Management representative to the Council.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1033, 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 (Fukunaga).

**SCRep. 1199 Public Safety and Intergovernmental and Military Affairs on H.B. No. 1036**

The purpose and intent of this measure is to formally establish the Hawaii State Fusion Center as a program under the Office of Homeland Security, to be transferred to the Department of Law Enforcement on January 1, 2024, and delineate its roles and responsibilities.

Your Committee received testimony in support of this measure from the Department of Defense, Department of Human Services, Department of Law Enforcement, Office of Homeland Security, and Retail Merchants of Hawaii. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Hawaii State Fusion Center functions as the nexus of information and intelligence sharing between federal, state, county, and private-sector partners that collectively work to keep Hawaii and the nation safe. Additionally, the Fusion Center offers critical real-time and strategic intelligence analysis, threat assessments, and targeted violence prevention program management and assists the public safety community in preventing, protecting against, and responding to crime, terrorism, and emerging threats. Your Committee believes that the Fusion Center plays a vital role in the State's homeland security. This measure will bring official state-level recognition to the Fusion Center's value and provide the necessary support to keep the State, residents, and critical infrastructure safe.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1036, 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 (Fukunaga).

**SCRep. 1200 Public Safety and Intergovernmental and Military Affairs on H.B. No. 418**

The purpose and intent of this measure is to appropriate funds for repairing warning sirens statewide.

Your Committee received comments on this measure from the Hawai'i Emergency Management Agency.

Your Committee finds that multiple warning sirens in the State have been out of operation for various reasons. Vandalism, supply-chain delays, and scheduling repair visits continue to hinder the needed timely repairs to sirens across the State. This measure will assist the Hawaii Emergency Management Agency to repair damaged sirens and allow the Agency to deliver excellent siren maintenance services statewide.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 418, 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; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1201 Public Safety and Intergovernmental and Military Affairs on H.B. No. 451**

The purpose and intent of this measure is to:

- (1) Amend Act 125, Session Laws of Hawaii 2022, to extend the time to expend appropriations for the establishment of a pilot visitation and family resource center at Waiawa Correctional Facility on Oahu;
- (2) Make conforming amendments related to the establishment of the Department of Corrections and Rehabilitation; and

- (3) Appropriate additional funds to implement the pilot visitation and family resource center at Waiawa Correctional Facility on Oahu.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of Human Services, Hawaii Correctional System Oversight Commission, Papa Ola Lokahi, Hawai'i Children's Action Network Speaks!, Hawai'i Youth Services Network, Hawai'i 'Ohana Support Network, Community Alliance on Prisons, Blueprint for Change, and nine individuals.

Your Committee finds that families play a crucial role in the rehabilitation of inmates. It is difficult for families to have a meaningful reconnection unless the families are allowed to have face-to-face contact in a suitable setting. Your Committee believes that the Waiawa Correctional Facility is an appropriate facility for a pilot visitation and family resource center because most of its inmates are transferred from the Halawa Correctional Facility or the Saguaro Correctional Facility in Arizona, where there is precious little opportunity for face-to-face interaction between inmate fathers and their children. Moreover, the challenges facing children of the incarcerated are well-documented. This measure provides necessary resources to help children deal with the trauma caused by parental incarceration and assist in the rehabilitation of inmate parents.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 451, 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 (Fukunaga).

**SCRep. 1202 Public Safety and Intergovernmental and Military Affairs on H.B. No. 823**

The purpose and intent of this measure is to:

- (1) Expand the scope of inmate and corrections employee deaths that are reported and require the reports of deaths to be published on the Department of Corrections and Rehabilitation's website; and
- (2) Clarify the information to be included in the reports after the official cause of death is determined and mandate public access to certain information within those reports.

Your Committee received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Civil Beat Law Center for the Public Interest, Opportunity Youth Action Hawai'i, Community Alliance on Prisons, and six individuals. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that Arizona, California, and Nevada require the public reporting of the deaths of incarcerated persons. Your Committee believes that the public should know the identity of people who die while incarcerated. This measure will promote governmental transparency by codifying a process for the public disclosure of deaths of incarcerated individuals.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 823, 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, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1203 (Majority) Public Safety and Intergovernmental and Military Affairs on H.B. No. 824**

The purpose and intent of this measure is to create a medical or compassionate release program for certain ill or impaired inmates who pose a low risk to public safety.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii Correctional System Oversight Commission, and five individuals. Your Committee received comments on this measure from the Hawaii Paroling Authority.

Your Committee finds that compassionate release allows inmates who have complex medical needs to spend their remaining days outside of jail or prison in the company of their family and friends. Inmates with complex medical needs are not only some of the costliest individuals to house within jails and prisons, but are also the least likely to pose any threat to society once released. Your Committee believes that inmates should be released when they are too debilitated to commit further crimes, too compromised to benefit from rehabilitation, or too impaired to be aware of punishment. This measure will reduce the prison population, reduce costs to the Department of Public Safety, and elevate a level of humanity in corrections that aligns with a rehabilitative and therapeutic model.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 824, 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, 3. Noes, 1 (Awa). Excused, 1 (Fukunaga).

**SCRep. 1204 Public Safety and Intergovernmental and Military Affairs on H.B. No. 1035**

The purpose and intent of this measure is to establish protections for critical infrastructure information that is received or maintained by the Office of Homeland Security for use regarding the security of critical infrastructure.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Hawai'i Office of Homeland Security, Department of Law Enforcement, Office of Enterprise Technology Services, Hawaii State Energy Office, Honolulu Board of Water Supply, Hawai'i Gas, and Hawaiian Electric. Your Committee received testimony in opposition to this



measure from one individual. Your Committee received comments on this measure from the Department of Defense and Office of Information Practices.

Your Committee finds that, for the Office of Homeland Security and the Hawaii State Fusion Center to work closely with the private sector involved in the ownership, operation, or management of critical infrastructure, it must be able to assure private partners that proprietary information relating to the security of critical infrastructure is protected from disclosure to the public. Protection of proprietary information helps the Office of Homeland Security to establish and develop relationships and access information necessary for it to help protect the public and critical infrastructure relied upon by people in the State. This measure will enhance sharing of critical infrastructure information between infrastructure owners and operators and the State while offering additional protections to provide partners reassurance that their proprietary information provided to the State will be protected.

Your Committee has amended this measure by clarifying the definition of “critical infrastructure information” to mean information not customarily in the public domain and related to the security of critical infrastructure or protected systems.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1035, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1035, 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 (Fukunaga).

**SCRep. 1205 (Majority) Public Safety and Intergovernmental and Military Affairs on H.B. No. 1132**

The purpose and intent of this measure is to:

- (1) Extend the term of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission;
- (2) Require the Commission to publish a summary of an investigation and any action taken by the Commission in response;
- (3) Authorize the Commission to hold a meeting closed to the public to discuss with the Oversight Coordinator a complaint investigated when necessary to maintain confidentiality, under certain conditions; and
- (4) Broaden the Oversight Coordinator’s power to make inquiries, obtain information, and inspect the premises of agencies and correctional facilities.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii Correctional System Oversight Commission, Criminal Justice Research Institute, Community Alliance on Prisons, and four individuals. Your Committee received comments on this measure from the Hawaii Paroling Authority.

Your Committee finds that the Hawaii Correctional System Oversight Commission was established to facilitate a transition to a rehabilitative and therapeutic model of corrections. Your Committee believes that broadening the Oversight Coordinator’s power to make inquiries, obtain information, and inspect correctional facilities is necessary to achieve this goal. Additionally, extending the term of the Oversight Coordinator of the Hawaii Correctional System Oversight Commission will allow the Oversight Coordinator to gain intimate knowledge of the State’s correctional systems and develop working relationships with elected and appointed officials, private entities, and their staff. This measure will therefore help the Hawaii Correctional System Oversight Commission to achieve its goal of transitioning the correctional system to a rehabilitative and therapeutic model.

Your Committee has amended this measure by:

- (1) Requiring members of the Hawaii Correctional System Oversight Commission be subject to the advice and consent of the Senate;
- (2) Amending the Oversight Coordinator’s term to four years; 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 and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1132, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1132, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Fukunaga).

**SCRep. 1206 Hawaiian Affairs on H.B. No. 1508**

The purpose and intent of this measure is to appropriate moneys to:

- (1) The Department of Business, Economic Development, and Tourism to improve Native Hawaiian communities and culture through various assistance services, including but not limited to services that offer Native Hawaiian historic preservation, business training, entrepreneurship, and mentoring; and
- (2) The Department of Land and Natural Resources for repatriation and reburials of Native Hawaiians nationally and internationally.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Department of Business, Economic Development, and Tourism; Council for Native Hawaiian Advancement; Kapolei Chamber of Commerce; 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 Hawaiian Affairs.

Your Committee finds that small business education and training programs for Native Hawaiian communities can help empower new entrepreneurs and assist them in navigating the complex and highly technical aspects of licensing, capital raising, personnel, e-commerce, and business strategy. Your Committee further finds that Native Hawaiian communities can especially benefit from services such as a virtual marketplace and a collaborative co-working space, which can respectively serve as an effective sales and marketing platform and an incubator where ideas, innovation, and networking can flourish. Therefore, this measure appropriates moneys to allow the Department of Business, Economic Development, and Tourism to provide important small business and entrepreneurship services. This measure also separately appropriates moneys to allow the Department of Land and Natural Resources to assist Native Hawaiians in repatriating iwi kupuna.

Your Committee also notes the testimony of the Office of Hawaiian Affairs, which expressed their belief that they are the proper agency to administer the programs and funds provided by this measure as the principal public agency in the State responsible for the performance, development, and coordination of programs and activities relating to Native Hawaiians. Your Committee also notes the testimony of the Department of Land and Natural Resources, which requested that, should they receive the funding appropriated by this measure for the repatriation of iwi kupuna, that one full-time-equivalent position be established within the State Historic Preservation Division to carry out the activity effectively and efficiently. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider further examining whether the Office of Hawaiian Affairs is in fact the proper agency for this measure. Alternatively, should your Committee on Ways and Means decide that the Department of Business, Economic Development, and Tourism and the Department of Land and Natural Resources are best-suited to carry out this measure, your Committee respectfully requests that it consider appropriating funds to the Department of Land and Natural Resources for additional staffing.

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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1508, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1508, 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. 1207 Hawaiian Affairs on H.B. No. 37**

The purpose and intent of this measure is to abolish the Native Hawaiian Rights Fund of the Office of Hawaiian Affairs pursuant to the recommendation contained in Auditor's Report No. 22-02.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the Office of the Auditor's *Review of Special Funds, Revolving Funds, Trust Funds, and Trust Accounts of the Office of Hawaiian Affairs*, Report No. 22-02 (Feb. 2022), recommended that the Native Hawaiian Rights Fund be closed because the fund no longer serves the purpose for which it was created. According to the Auditor's report, the Native Hawaiian Rights Fund was administratively created by the Office of Hawaiian Affairs in 1987 to hold attorney's fees and costs recovered by the Native Hawaiian Legal Corporation's Land Title Project. Subsequently, the Office of Hawaiian Affairs established a direct legal services contract with the Native Hawaiian Legal Corporation and transferred the balance in the fund to the Public Land Trust on July 14, 2015. Thus, while the fund has been inactivated internally, it still exists in the Financial Accounting and Management Information System. Therefore, this measure formally abolishes the Native Hawaiian Rights Fund.

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 is in accord with the intent and purpose of H.B. No. 37, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 37, 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 (Ihara).

**SCRep. 1208 Hawaiian Affairs on H.B. No. 1058**

The purpose and intent of this measure is to allow an adopted individual to be considered as a child of both their adopted parents and natural parents for the sole purpose of determining familial relationships under the Hawaiian Homes Commission Act of 1920, as amended (HHCA).

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 one individual.

Your Committee finds that adoption can impact the ability of an adopted individual, or members of an individual's natural family who are subsequently adopted, to succeed to a homestead lease or application on the Department of Hawaiian Home Lands waiting list. Under the current law, a native Hawaiian child whose biological parents are on the homestead waiting list would lose their legal ability to succeed to a homestead lease following their adoption by non-native Hawaiian parents. Therefore, this measure serves to address situations such as this, by allowing an adopted individual to maintain their natural family's relationship status and thereby succeed to a lease. Your Committee notes that this measure does not alter any other requirements under the HHCA, such as the blood quantum

requirement for successor lessees, and thus would not allow a child who does not meet the requisite blood quantum requirement to succeed to a lease under the HHCA after being adopted by non-native Hawaiian parents.

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. 1058, 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. 1209 (Majority) Public Safety and Intergovernmental and Military Affairs on H.B. No. 426**

The purpose and intent of this measure is to:

- (1) Establish standards of conduct for the firearm industry;
- (2) Authorize any person who has suffered harm because of a firearm industry member's violation of the standards of conduct to bring a civil action; and
- (3) Authorize the Attorney General or any county attorney or public prosecutor to bring a civil action against a firearm industry member for violation of standards of conduct.

Your Committee received testimony in support of this measure from the Brady Campaign to Prevent Gun Violence, Everytown for Gun Safety, Moms Demand Action for Gun Sense in America, Students Demand Action for Gun Sense in America, and twenty-five individuals. Your Committee received testimony in opposition to this measure from the National Rifle Association of America, Hawaii Firearms Coalition, and more than one hundred individuals.

Your Committee finds that the firearm industry currently has no financial incentive to deter irresponsible conduct of third parties who use firearms for dangerous, negligent, and unlawful actions. Your Committee believes that the possibility of civil liability will not only provide justice for victims and survivors, but also encourage the gun industry to act responsibly to help stem the tide of gun crimes that harm the people of Hawaii and the nation, particularly in urban areas where communities of color are disproportionately harmed. This measure will lead to safer products and conduct from the firearm industry to ensure justice and safety for the public.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 426, 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. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 1210 Water and Land on H.B. No. 1371**

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 Office of the Governor, Department of Land and Natural Resources, PA'I Foundation, Friends of Hanauma Bay, and sixty individuals.

Your Committee finds that residents and visitors alike are seeking additional outdoor recreational opportunities and are attracted to safe and well-maintained parks near the beach and ocean. Your Committee also finds that the Sand Island State Recreation Area is one such urban park in Honolulu, that accommodates both land- and ocean-based recreational activities. Presently, there is an undeveloped section of the Sand Island State Recreation Area that abuts the Sand Island Wastewater Treatment Plant, which contains hazardous abandoned military infrastructure, illegally dumped waste, and long-thorn Kiawe. Your Committee finds that the undeveloped portion of the park could potentially be transformed into an open grass area for picnicking, walking and biking paths, and a variety of other recreational uses. Therefore, this measure requires the Department of Land and Natural Resources to develop a master plan for the Sand Island State Recreation Area that will also incorporate plans for the establishment of a Native Hawaiian arts and cultural center for community uses.

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. 1371, 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. 1211 Water and Land on H.B. No. 1134**

The purpose and intent of this measure is to:

- (1) Prohibit commercial ocean use activity in Kaneohe Bay without a permit; and
- (2) Prohibit any person from advertising any commercial ocean use activity in Kaneohe Bay for which the person does not have a permit.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku, Kāne'ohe Bay Regional Council, Ko'olau Foundation, Ko'olaupoko Hawaiian Civic Club, and five individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the over-commercialization of Kaneohe Bay has been unnaturally encouraged by social media and through unpermitted tour operators who advertise and operate without regard for rules, regulations, and cultural awareness. Your Committee finds that action is necessary to ensure that Kaneohe Bay's rich cultural history and scenic natural environment are preserved and protected for the use and enjoyment of all. Therefore, this measure updates the law regarding restricted activities in Kaneohe Bay.

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. 1134, H.D. 2, 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, 5. Noes, none. Excused, none.

**SCRep. 1212 Water and Land on H.B. No. 1088**

The purpose and intent of this measure is to amend the conditions, manner, and areas in which the Commission on Water Resource Management of the Department of Land and Natural Resources can declare water shortages and emergencies.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources 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 Mayor of the County of Maui, Honolulu Board of Water Supply, County of Hawaii Department of Water Supply, and Department of Water of the County of Kaua'i.

Your Committee finds that under existing law, a water shortage must be declared through a rule-making process and in accordance with an established water shortage plan before the Commission on Water Resource Management can declare a water emergency. Thus, the existing law does not contemplate water shortages or emergencies caused by an immediate degradation of water quality -- such as the fuel leak that occurred at the Red Hill Bulk Fuel Storage Facility -- which can happen in an instant. Therefore, this measure will allow the Commission to react to a crisis, whether within or outside of a water management area, in a swift and comprehensive manner.

Your Committee has heard the testimony of the Office of the Mayor of the County of Maui, expressing concerns, among other things, that:

- (1) Allowing the Commission to declare a water emergency without a prior water shortage declaration would appear to preempt and usurp the executive authority provided under section 127A-14(c), Hawaii Revised Statutes (HRS), which provides that "[t]he [G]overnor or [M]ayor shall be the sole judge of the existence of the danger, threat, or circumstances giving rise to a declaration of a state of emergency in the State or a local state of emergency in the county, as applicable";
- (2) Allowing the Commission to impose restrictions on permits outside of water management areas would contravene the intent and purpose of section 174C-41(a), HRS, which provides that a water designation area can be designated only when "it can be reasonably determined, after conducting scientific investigations and research, that the water resources in an area may be threatened by existing or proposed withdrawals or diversions of water"; and
- (3) Striking the language from section 174C-62(g), HRS, would relieve the Commission from performing its due diligence to make certain findings before imposing restrictions on permittees, thereby nullifying the procedural and substantive due process protections provided by the State Water Code.

Your Committee also heard the testimony of the Honolulu Board of Water Supply, which expressed similar concerns regarding the contravention of section 174C-41(a), HRS, and the nullification of due process by striking the language from section 174C-62(g), HRS.

Should your Committee on Judiciary choose to deliberate on this measure, your Committee respectfully requests that it consider further examining the concerns expressed by the Office of the Mayor of the County of Maui and the Honolulu Board of Water Supply.

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. 1088, 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; Ayes with Reservations (Elefante, McKelvey, Fevella). Noes, none. Excused, none.

**SCRep. 1213 Water and Land on H.B. No. 361**

The purpose and intent of this measure is to appropriate funds to the Department of Land and Natural Resources and its partner, or partners, for the continuation of the Green Jobs Youth Corps.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Energy Office, Holomua Collaborative, Kupu, Hawai'i Energy, Kua 'Āina Ulu 'Auamo, Re-use Hawai'i, HPM Building Supply, Hawai'i Community Foundation, Hui o Hauula, The Nature Conservancy, Hawai'i Reef and Ocean Coalition, and three individuals.

Your Committee finds that the Green Jobs Youth Corps Program, established in 2020, provides important employment and training opportunities for young adults interested in conservation, sustainable agriculture, clean energy, and other sustainability-related industries. Your Committee finds that the Program, which provides approximately one hundred workforce and training opportunities each year, not only helps to address youth unemployment, but helps the State to diversify the economy and reach its environmental and self-sustainability goals. Therefore, this measure will continue the Program and provide further opportunities for emerging professionals to gain skills related to natural resource management.

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. 361, 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. 1214 Water and Land on H.B. No. 953**

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to develop and publish a website that includes the application processes for a permit, license, or reservation needed to conduct recreational and commercial activities in the State that are regulated by or under the jurisdiction of the Department;
- (2) Require the Department of Land and Natural Resources to convert existing application processes into a digital format to be used on the website; and
- (3) Appropriate funds for the establishment of the website.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Reef and Ocean Coalition, and one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that many residents, visitors, and businesses have difficulty finding the correct applications required to use lands administered by the Department of Land and Natural Resources. This confusion can lead to a variety of illegal activities, such as trespass, illegal camping, and unauthorized commercial tour activities. Your Committee further finds that the current online process is labyrinthian, requiring an individual to navigate multiple links to find an appropriate Division and thereafter navigate through more links to find a correct application. Therefore, this measure provides for the creation of a website that will consolidate all necessary forms and application processes of the Department to help streamline the permitting process for the benefit of residents, visitors, and businesses alike.

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. 953, 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. 1215 Energy, Economic Development, and Tourism on H.B. No. 852**

The purpose and intent of this measure is to amend the definition of "eligible business activity" to include the processing of value-added agricultural products grown within an enterprise zone and the development or production of renewable energy.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii State Energy Office; Hawai'i Farm Bureau; Hawaii Food Industry Association; Hawai'i Forest Industry Association; Hawaii Clean Power Alliance; Hawai'i Gas; Hawaiian Electric; Ulupono Initiative; and one individual. Your Committee received testimony in opposition to this measure from the Environmental Caucus of the Democratic Party of Hawai'i. Your Committee received comments on this measure from the Department of Agriculture and Tax Foundation of Hawaii.

Your Committee finds that the Hawaii Enterprise Zone Program was established to incentivize the growth of business and increase employment in designated areas of the State. The Enterprise Zone Program uniquely benefits rural communities because it is one of the few programs that focuses efforts on supporting agriculture and forestry, which are often the main business activities in rural communities. Your Committee further finds that allowing a broader range of renewable energy projects to participate in Hawaii's Enterprise Zone Program will stimulate growth and development in the private sector, lead to advances in renewable energy, and help lower the cost of renewable energy projects. This measure will help to strengthen the local economy, support local farmers and rural communities, and help the State reach its renewable energy goals.

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. 852, 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; Ayes with Reservations (Fukunaga). Noes, none. Excused, 1 (Fevella).

**SCRep. 1216 Water and Land on H.B. No. 670**

The purpose and intent of this measure is to specify that a simple majority of affirmative votes from the members serving on the Land Use Commission is required for any boundary amendment.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs. Your Committee received comments on this measure from the Land Use Commission and Grassroot Institute of Hawaii.

Your Committee finds that under existing law, six out of the nine members of the Land Use Commission must affirmatively vote to approve any boundary amendment. However, your Committee finds that this requirement is unnecessarily high, especially in light of the fact that members of the Land Use Commission are volunteers whose busy schedules do not always permit them to attend every meeting. Your Committee also finds that delays in land use permitting and approvals substantially increase the time and cost required

to build new housing, and the uncertainty surrounding the current process can disincentivize development. Therefore, this measure will help to reduce the State's excessive permit approval times and expedite development by allowing the Land Use Commission to approve boundary amendments by a simple majority.

Your Committee notes that the companion to this measure, S.B. No. 937, S.D. 1 (Regular Session of 2023), which was previously passed by the Senate, is a substantially similar measure that also amends the affirmative vote requirement of the Land Use Commission for boundary amendments to a simple majority. Your Committee concludes that S.B. No. 937, S.D. 1, is preferable because it further simplifies the process of amending district boundaries by requiring only a simple majority of votes from the members present and qualified to vote, as opposed to a simple majority of votes from the members serving on the Commission. Your Committee further finds that S.B. No. 937, S.D. 1, is preferable because it includes a section that would reduce the number of days within which the Land Use Commission must act for certain actions related to district boundary amendments. Your Committee believes this will further expedite the approval process and support housing development generally.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 937, S.D. 1, a substantially similar measure, which:

- (1) Clarifies that a simple majority of affirmative votes of the members of the Land Use Commission present at a meeting and qualified to vote is required for any boundary amendment;
- (2) Reduces the number of days within which the Land Use Commission must act for certain actions related to amendments to district boundaries;
- (3) Inserts an effective date of July 1, 2050; 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 H.B. No. 670, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 670, 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; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Fevella).

**SCRep. 1217 Water and Land on H.B. No. 908**

The purpose and intent of this measure is to amend the maximum amount of conveyance tax revenues allocated to the Land Conservation Fund.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kua 'Āina Ulu 'Auamo, The Nature Conservancy, Hawai'i Reef and Ocean Coalition, and one individual. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that despite regulations on land use and development in Hawaii, lands that hold important natural or cultural resources are often unprotected, inaccessible, or threatened with damage and destruction. The Land Conservation Fund was established in 1973 for the purpose of funding the protection of such lands, through the provision of grants to government agencies and community organizations to purchase and protect lands that shelter unique, threatened, and endangered resources. Your Committee finds that the current maximum amount of conveyance tax revenues allocated to the Land Use Conservation Fund -- which is ten percent of all conveyance taxes collected for the fiscal year or \$5,100,000, whichever is less -- does not provide the sufficient buying power in today's real estate market to carry out the purposes of the Fund. Therefore, this measure increases the maximum amount of conveyance tax revenues allocated to the Land Conservation Fund to help ensure that adequate funding is available to meet the cost of acquiring land for public and ecological benefit.

Your Committee has amended this measure by specifying the maximum amount of conveyance tax revenues allocated to the Land Use Conservation Fund to be ten percent of all conveyance taxes collected for the fiscal year or \$9,800,000, whichever is less.

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. 908, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 908, 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. 1218 Water and Land on H.B. No. 994**

The purpose and intent of this measure is to require the Office of Planning and Sustainable Development to perform a study to refine rural district policies and make recommendations to the Legislature for the reclassification of lands from the agricultural district to the rural district.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of Planning and Sustainable Development; Department of Business, Economic Development, and Tourism; Hawai'i Farm Bureau; and Ulupono Initiative.

Your Committee finds that all lands in the State must be placed within four major land use districts: urban, rural, agricultural, or conservation districts. Over the years, the agricultural district has been used imprecisely, resulting in certain rural lifestyle farms and residences with no farm activity being classified as agricultural districts. These types of misclassifications can increase the cost of land for bona fide farming operations and also cause high-yield commercial lands to instead be used for residential purposes, thereby thwarting the highest and best-use of a property and the State's self-sustainability goals.

Your Committee finds that while less than one percent of all lands in the State are currently classified as rural districts, there is potential for greater use of this land category. In 2022, the Office of Planning and Sustainable Development completed a state use land review and found that redefining and thereby reinvigorating the rural district classification could help prevent further fragmentation and conversion of agricultural lands to other uses. Your Committee finds that by appropriately differentiating rural communities and lifestyle farms from commercial agricultural lands, the State can better preserve and regulate open spaces, rural communities, and working lands. Therefore, this measure requires and appropriates funds for the Office to continue working toward the reimagining of the rural district class.

Your Committee notes that the companion to this measure, S.B. No. 85, S.D. 1 (Regular Session of 2023), which was previously passed by the Senate, is a substantially similar measure that also requires the Office to conduct a study to refine rural district policies. Your Committee concludes that the language in S.B. No. 85, S.D. 1, is preferable because it requires the Office to complete its interim and final report on a more expedient timeline and appropriates funds to the Office for two fiscal years, as opposed to just one.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 85, S.D. 1, a substantially similar measure, which:

- (1) Requires an interim report to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024;
- (2) Requires a final report to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025;
- (3) Appropriates an unspecified amount of funds for fiscal years 2023-2024 and 2024-2025 for the Office of Planning and Sustainable Development to conduct the study and complete all required reports; and
- (4) Inserts an effective date of July 1, 2050.

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. 994, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 994, 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. 1219 Water and Land on H.B. No. 1079**

The purpose and intent of this measure is to:

- (1) Revise chapter 342D, Hawaii Revised Statutes, to add definitions that are consistent with federal Clean Water Act regulations;
- (2) Consolidate separate water quality certification statutes into one section for clarity;
- (3) Clarify the authority of the Director of Health to conduct water quality certifications; and
- (4) Revise certain civil penalty amounts for consistency within the Department of Health and certain civil penalty amounts to conform with federal inflation adjusted penalties under the federal Clean Water Act.

Your Committee received testimony in support of this measure from the Department of Health and Hawai'i Reef and Ocean Coalition.

Your Committee finds that the Department of Health has been authorized by the United States Environmental Protection Agency to administer the National Pollution Discharge Elimination program and section 401 Water Quality Certification of the federal Clean Water Act. This authority was codified in chapter 342D, Hawaii Revised Statutes. Your Committee further finds that to effectively administer the programs under the Clean Water Act, the definitions and penalties under chapter 342D, Hawaii Revised Statutes, should be amended to be consistent with their federal counterparts. Therefore, this measure amends the State's definitions and penalties for various consistency purposes and consolidates the water quality certification statutes into one section for clarity.

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 is in accord with the intent and purpose of H.B. No. 1079, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1079, 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, 5. Noes, none. Excused, none.

**SCRep. 1220 Water and Land on H.B. No. 1090**

The purpose and intent of this measure is to:

- (1) Amend the methods by which the Department of Land and Natural Resources can issue new commercial use permits for ocean recreation activity occurring in an ocean recreation management area and renew existing commercial use permits; and
- (2) Establish an Ocean Recreation Commercial Permits Working Group within the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources to study viable methods for issuing and renewing commercial use permits for ocean recreation activity in high use areas with limited permits.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Ocean Tourism Coalition, and Hui Maka'ainana O Makana. Your Committee received testimony in opposition to this measure from Anelakai Adventures.

Your Committee finds that the Department of Land and Natural Resources has been struggling to address the rampant amount of commercial marine activity taking place in near-shore waters. Consequently, the Department believes that limiting the total number of commercial use permits for ocean recreation activity occurring in an ocean recreation management area to be an effective and practical solution. Your Committee finds that under a proposed limited commercial permit system, the Department believes that the fairest way to issue permits is to award them to businesses that have been operating with a valid permit the longest and that once the maximum number of permits is reached, any new operating permits should be awarded via public auction. Therefore, this measure authorizes the Department to implement its proposed seniority and auction-based commercial use permit program. Separately, this measure will also establish a working group to study whether other viable methods to fairly and efficiently issue commercial use permits in high use areas with limited permits can be implemented in lieu of the proposed seniority and auction-based program.

Your Committee has heard the testimony of the Department of Land and Natural Resources, attesting that the Department has met with stakeholders as well as the House Committee on Water and Land and that all are in agreement that the Ocean Recreation Commercial Permits Working Group is no longer needed.

Therefore, your Committee has amended this measure by:

- (1) Deleting the proposed Ocean Recreation Commercial Permits 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 Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1090, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1090, 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. 1221 Water and Land on H.B. No. 1091**

The purpose and intent of this measure is to require the disclosure of all existing permitted and unpermitted erosion control structures on the parcel, or on state land seaward and adjacent to the parcel, along with the annual coastal erosion rate for the zoning lot in real estate transactions when residential real property lies adjacent to the shoreline.

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 Climate Resilience Collaborative and Sea Grant College Program; Hawai'i Climate Change Mitigation and Adaptation Commission; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Surfrider Foundation Hawai'i Region; and Hawai'i Reef and Ocean Coalition. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that through Act 179, Session Laws of Hawaii 2021, the Legislature recognized the existential threat of sea level rise to real property and required that a seller disclose when residential real property lies within a sea level rise exposure area in residential real property transactions. However, your Committee finds that additional disclosures for shoreline properties are necessary to provide purchasers with adequate notice of how quickly the coast is eroding near the property and whether erosion control structures have been built or erected on the parcel, or on state land seaward and adjacent to the parcel. Therefore, this measure accordingly updates the notification requirements under section 508D-15, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Removing the proposed requirement for a seller to disclose all permitted and unpermitted erosion control structures on state land seaward and adjacent to a parcel;
- (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 Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1091, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1091, 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. 1222 Water and Land on H.B. No. 1183**

The purpose and intent of this measure is to exempt parking lot operations designated as concessions and certain concessions determined to be environmentally, culturally, historically, or operationally unique at state parks from the competitive bidding requirement for concession contracts on public lands pursuant to section 102-2, Hawaii Revised Statutes.

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 in 2020, a pilot integrated parking and shuttle reservation system was implemented for Haena State Park, Kauai, as part of a strategic master plan that aimed to reduce overcrowding and other associated negative park experiences related to



high traffic and insufficient parking. To that end, the Division of State Parks partnered with Hui Makaainana O Makana, a nonprofit organization dedicated to perpetuating and teaching skills, knowledge, and Native Hawaiian practices through the interpretation, restoration, care, and protection of natural and cultural resources in Haena, the Hui's ancestral home. Thus, in addition to managing the parking and reservation system, the Hui also conducted conservation activities and resource enhancement in the park.

However, your Committee finds that because parking lot operations at state parks are designated as concessions under section 102-2, Hawaii Revised Statutes, despite the program's success, the Division of State Parks remains unable to negotiate a long-term lease or management agreement with Hui Makaainana O Makana without going through a burdensome and cost-focused competitive bidding process -- a process which may not properly consider the cultural suitability of a group such as the Hui. Currently, the Hui operates on a month-to-month revocable permit. Your Committee further notes that the Department intends to expand, if feasible, its successful integrated parking and shuttle reservation system to other state parks, such as Kealahou Bay, Kiholo Bay, and Kaena Point. Therefore, this measure provides a necessary exemption to the concession law's competitive bidding requirement to allow the State and culturally sensitive nonprofit organizations to mutually benefit from current and future integrated parking and shuttle reservation plans.

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 is in accord with the intent and purpose of H.B. No. 1183, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1183, 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 (Elefante, McKelvey). Noes, none. Excused, 1 (Fevella).

**SCRep. 1223 Water and Land on H.B. No. 1200**

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to establish an unmanned aircraft systems program;
- (2) Authorize Division of Conservation and Resources Enforcement officers to use unmanned aircraft systems; and
- (3) Require the Department of Land and Natural Resources to submit a biennial report of the effectiveness of the unmanned aircraft systems program to the Legislature.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Reef and Ocean Coalition; Hawaii Marine Education and Research Center; Kauhakō Ohana Association; Kua 'Āina Ulu 'Auamo; The Nature Conservancy; Mālama Pūpūkea-Waimea; Skydio, Inc.; and four individuals.

Your Committee finds that the Department of Land and Natural Resources faces challenges in investigating and prosecuting natural resource violations due to the fact that many of the lands and waters under the jurisdiction of the Department are located in remote or inaccessible areas. Your Committee further finds that unmanned aircraft systems, commonly known as drones, can provide a unique solution to this problem, as their ability to remotely fly into difficult-to-access locations makes them well-suited for monitoring and recording violators and capturing before-and-after images of impacted natural environments. Therefore, this measure will provide the Department and its conservation enforcement officers with an innovative, efficient, and cost-effective method to deter illegal conduct on public lands and waters and obtain admissible evidence for enforcement proceedings.

Your Committee has amended this measure by:

- (1) Inserting language prohibiting the Department of Land and Natural Resources from purchasing, operating, or otherwise acquiring or using unmanned aircraft systems manufactured or assembled by a covered foreign entity and defining "covered foreign entity";
- (2) Requiring the Department of Land and Natural Resources to submit an annual report to the Legislature on the effectiveness of the unmanned systems program beginning on January 1, 2026, rather than a biennial report beginning on January 1, 2027;
- (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 Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1200, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1200, 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, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1224 (Majority) Water and Land on H.B. No. 1385**

The purpose and intent of this measure is to:

- (1) Establish a framework for designating certain public lands for redevelopment;
- (2) Amend the generally applicable lease requirements for public lands to promote redevelopment;
- (3) Designate the public lands on the Waiakea Peninsula on the island of Hawaii as the Waiakea Peninsula Redevelopment District; and
- (4) Appropriate funds for the Waiakea Peninsula Redevelopment District.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council and one individual. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Sierra Club of Hawai'i, Ke Kula O Waimanalo, Native Hawaiian Legal Corporation, League of Women Voters of Hawaii, Kupuna for the Mo'opuna, Hawai'i Alliance for Progressive Action, UNITE HERE Local 5, Chamber of Sustainable Commerce, Ka Lahui Hawaii, and one hundred twelve individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Office of Hawaiian Affairs.

Your Committee finds that the State, as majority landowner in East Hawaii, has an enormous influence on the vision, economic development, and overall success of the East Hawaii community. However, because many public land lessees face uncertain futures following the expiration of their leases, there is little incentive for lessees to make major improvements to their infrastructure. Consequently, the accumulation of deferred maintenance has led to the dilapidation, deterioration, or obsolescence of many formerly vibrant buildings and structures. This measure would establish and authorize planning committees to redevelop districts on public lands and, among other things, negotiate leases in redevelopment districts, beginning with the Waiakea Peninsula in Hilo, Hawaii island.

Your Committee notes that a separate measure, S.B. No. 97, S.D. 1 (Regular Session of 2023), which was passed by your Committee, is a similar measure that would refine and limit the Board of Land and Natural Resources' authority regarding certain lease extensions made pursuant to Act 149, Session Laws of Hawaii 2018 (Act 149). Notably, Act 149 was enacted to help facilitate improvements and economic opportunities in the Hilo Community Economic District (HCED) -- which encompasses the Waiakea Peninsula -- by establishing a ten-year pilot project to authorize the Board of Land and Natural Resources to extend leases in the HCED for up to forty years for lessees who commit to making substantial improvements to their property through new construction or renovations. Your Committee concludes that the language in S.B. No. 97, S.D. 1, is preferable because it would better address the issues involving Kanoehua Industrial Area leases in the Waiakea Peninsula. Your Committee also notes that the issues surrounding the Banyan Drive leases and the condemned Uncle Billy's Hilo Bay Hotel property are better addressed administratively.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 97, S.D. 1, a similar measure, which:

- (1) Clarifies that the Board of Land and Natural Resources shall not unilaterally amend the terms and conditions of any lease of public lands being extended pursuant to Act 149, codified at part X of chapter 171, Hawaii Revised Statutes, except as otherwise provided therein;
- (2) Clarifies that if the Board of Land and Natural Resources wishes to amend the terms and conditions of any lease of public lands being extended pursuant to Act 149 to reflect the Board's most current lease form and leasing practices and policies, such lease form and leasing practices and policies must be included in the rules of the Board governing the extension of leases pursuant to Act 149 or chapter 171, Hawaii Revised Statutes, adopted by the Board in accordance with chapter 91, Hawaii Revised Statutes, and
- (3) Inserts an effective date of July 1, 2050.

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. 1385, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1385, 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; Ayes with Reservations (Elefante). Noes, 1 (Fevella). Excused, none.

#### **SCRep. 1225 (Majority) Water and Land on Gov. Msg. No. 506**

Recommending that the Senate advise and consent to the nomination of the following:

#### DIRECTOR, OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT

G.M. No. 506 SCOTT GLENN, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Scott Glenn for service as the Director of the Office of Planning and Sustainable Development.

Your Committee received testimony in support of the nomination for the appointment of Mr. Glenn from the Governor; Chief Housing Officer of the Office of the Governor; Department of Land and Natural Resources; Department of Transportation; Department of Business, Economic Development, and Tourism; Department of Public Safety; Department of Agriculture; Department of Budget and Finance; Department of Health; Department of Labor and Industrial Relations; Department of Defense; Department of Education; Department of Human Services; Department of Taxation; Natural Energy Laboratory of Hawaii Authority; Agribusiness Development Corporation; Hawaii Green Infrastructure Authority; Office of Enterprise Technology Services; Hawaii Technology Development Corporation; Hawaii State Aha Moku; Hawaii Public Housing Authority; Hawai'i Community Development Authority; State Environmental Advisory Council; Office of the Mayor of the City and County of Honolulu; Hawaii Regional Council of Carpenters; Kaa'i Island Utility Cooperative; Par Hawaii; Blue Planet Foundation; Pacific Resource Partnership; Pacific Biodiesel Technologies, LLC; Waikiki Improvement Association; AES; Hawaii Solar Energy Association; One Shared Future; Longroad Energy; and seventy-three individuals. Your Committee received testimony in opposition to the nomination for the appointment of Mr. Glenn from Pride at Work Hawai'i and six individuals.

Mr. Glenn has served as the interim Director of the Office of Planning and Sustainable Development since December 2022 and has adeptly navigated the duties and responsibilities of the position. Previously, Mr. Glenn served as the Chief Energy Officer of the Hawaii State Energy Office following his appointment in 2019 and subsequent confirmation by the Legislature. Mr. Glenn demonstrated his leadership ability by reinvigorating the Hawaii State Energy Office after the Legislature reestablished the agency in 2019 as part of an effort to help the State achieve a more resilient, clean energy economy. Prior to that, Mr. Glenn served as the

Director of the Office of Environmental Quality Control, where he was responsible for the modernization of the State's environmental review process. During that time, Mr. Glenn coordinated extensive public outreach and community engagement with interested stakeholders, and carefully balanced competing interests when updating the State's environmental review policy.

Mr. Glenn also holds notable experience in the private sector, where he focused on planning, asset management, and risk analysis, and led or held key roles on multiple multi-million-dollar projects for both public and private clients. Mr. Glenn is also active in the community and was the Co-Founder of Better Block Hawai'i, a nonprofit empowering communities through collaborative placement projects. Mr. Glenn also served as a member of the State Environmental Council from 2011 through 2015. Mr. Glenn received a Masters degree in Urban and Regional Planning from the University of Hawai'i at Manoa and a Bachelor of Arts degree in Philosophy and Classical Archaeology from the University of Evansville, Indiana.

Your Committee believes that Mr. Glenn, with nearly a decade's worth of public service experience in high-profile leadership positions, possesses the requisite qualifications to serve as the Director of the Office of Planning and Sustainable Development. Your Committee finds that Mr. Glenn's demonstrated innovative and inclusive approach to policymaking and his core institutional knowledge on state planning, clean energy projects, and environmental sustainability, will benefit the Office as it strives to fulfill its mandate and lead on important issues, such as those relating to housing, sea level rise, and transit-oriented development. Your Committee further believes that Mr. Glenn's close familiarity with the environmental review process will serve him well, as one of the key roles of the position is to be an advisor on all matters relating to environmental review. Your Committee further notes the extensive number of positive comments made by testifiers as to Mr. Glenn's unimpeachable character and his collaborative, thoughtful, hardworking, and dedicated approach to public service. Your Committee therefore recommends that Scott Glenn be appointed as Director of the Office of Planning and Sustainable Development based on his knowledge, 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, 1 (Fevella). Excused, none.

**SCRep. 1226 Water and Land on Gov. Msg. No. 528**

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY TO THE CHAIRPERSON, DEPARTMENT OF LAND AND NATURAL RESOURCES

G.M. No. 528 LAURA KAAKUA, for a term to expire 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Laura Kaakua for service as the Deputy to the Chairperson of the Board of Land and Natural Resources.

Your Committee received testimony in support of the nomination for the appointment of Ms. Kaakua from the Governor, Chief Housing Officer of the Office of the Governor; Department of Land and Natural Resources; Department of Transportation; Office of Planning and Sustainable Development; Department of Labor and Industrial Relations; Department of Agriculture; Department of Budget and Finance; Department of Health; Department of Public Safety; Department of Taxation; Department of Human Services; Department of Defense; Hawaii State Aha Moku; Office of Enterprise Technology Services; Hawaii Public Housing Authority; Office of the Mayor of the City and County of Honolulu; one member of the Honolulu City Council; one member of the Maui County Council; Ko'olau Foundation; Hawaii Regional Council of Carpenters; Matson Navigation Company, Inc.; Hawaii Harbor Users Group; Young Brothers, LLC; Trust for Public Land; Hawai'i Land Trust; Kuahiwi Ranch; Sierra Club of Hawai'i; Livable Hawaii Kai Hui; Maunalua Fishpond Heritage Center; Council for Native Hawaiian Advancement; Hui Maunawili-Kawainui; Protect Kaho'olawe 'Ohana; and sixty-four individuals. Your Committee received testimony in opposition to the nomination for the appointment of Ms. Kaakua from one individual.

Ms. Kaakua has served as the interim Deputy to the Chairperson of the Board of Land and Natural Resources since December 2022 and has since worked closely with the interim Chairperson on a number of important issues, including the grounding of a luxury yacht in Honolua Bay, Maui. In addition, Ms. Kaakua has competently and effectively represented the Department before the Legislature during this Regular Session of 2023. Previously, Ms. Kaakua served as the President and Chief Executive Officer of the Hawai'i Land Trust. As President and CEO, Ms. Kaakua established the organization's strategic vision and goals on land protection, land stewardship, community education, and caretaking. Notably, the Hawai'i Land Trust was responsible for more than seven preserves and fifty conservation easements. Prior to that, Ms. Kaakua served as the Native Lands Program Manager for the Trust for Public Land, a national nonprofit focused on park creation and public land preservation. At Trust for Public Land, Ms. Kaakua made significant progress on eleven active land protection projects across Hawaii and worked with Native Hawaiian and broader local communities to protect open space lands of critical cultural importance. Ms. Kaakua also co-taught the legal course, *Conservation Transactions*, at the University of Hawaii William S. Richardson School of Law, where she covered basic real estate finance, strategy, and land due diligence relating to conservation issues, and provided practical lessons to the next generation of lawyers regarding the importance of working in Native Hawaiian communities and the need for cultural and historic sensitivity in land management.

Ms. Kaakua has also served, among other positions, as a Coordinator for Envision Hawai'i and as a Law Clerk to the Honorable Greg K. Nakamura, Hawaii Circuit Court Judge for the Third Circuit. Ms. Kaakua is active in community organizations such as the Hawaii State Bar Association and Kupu, where she received an award for excellent service to the community in the field of conservation. Ms. Kaakua received a Juris Doctorate from the University of Hawaii William S. Richardson School of Law and dual Bachelor of Arts degrees in Political Science and Communications from Boston College, Massachusetts.

Your Committee believes that Ms. Kaakua, with a demonstrated background in law, project management, community engagement, and land conservation, possesses the requisite qualifications to serve as the Deputy to the Chairperson of the Board of Land and Natural Resources. Your Committee was impressed with Ms. Kaakua's proactive and engaged response in helping to resolve the grounded luxury yacht fiasco in Honolua Bay. Further, testifiers commented on Ms. Kaakua's dedication, as evidenced through her

work and community service, to land protection and stewardship, making her an ideal candidate to carry out the mission and responsibilities of the Department. Your Committee notes the tremendous amount of positive testimony in support of Ms. Kaakua's nomination, which highlight not only her career achievements, but her collaborative, honest, accountable, and responsive approach to leadership. Your Committee believes that these qualities will benefit the Department as it strives to fulfill its mandate. Therefore, your Committee recommends that Laura Kaakua be appointed as the Deputy to the Chairperson of the Board of Land and Natural Resources based on her knowledge, experience, 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, 5. Noes, none. Excused, none.

**SCRep. 1227 Labor and Technology on H.B. No. 40**

The purpose and intent of this measure is to:

- (1) Provide an income tax credit to every resident individual taxpayer of the State to satisfy constitutionally mandated requirements;
- (2) Appropriate an unspecified amount of funds into the Emergency and Budget Reserve Fund established under section 328L-3, Hawaii Revised Statutes; and
- (3) Appropriate an unspecified amount of funds into the Other Post-Employment Benefits Trust Fund established under section 87A-42, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Budget and Finance. Your Committee received comments on this measure from the Department of Taxation, Hawaii Emergency Management Agency, and Tax Foundation of Hawaii.

Your Committee finds that when certain conditions are met, article VII, section 6, of the Hawaii State Constitution requires the Legislature to depose of excess fund revenues in a specific manner. This measure is necessary for the State to meet its obligation under the Hawaii Constitution.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 40, 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. 1228 Labor and Technology on H.B. No. 163**

The purpose and intent of this measure is to:

- (1) Require a public 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 public 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 United Public Workers, AFSCME Local 646, AFL-CIO; State of Hawaii Organization of Police Officers; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawai'i Psychological Association. Your Committee received testimony in opposition to this measure from the Department of Human Resources Development, Department of Public Safety, and Department of Human Resources 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 Act 253, Session Laws of Hawaii 2000 (Act 253), in part, repealed chapter 77, Hawaii Revised Statutes, regarding the state compensation law, and with it, the public employee compensation appeals board that heard and made decisions on repricing requests. Repricing is the reassignment of an existing class from one pay range to another without a change in duties when it has been found that the class is not in proper internal alignment with other classes in the same bargaining unit. Act 253 also established the repricing processes in section 89-9, Hawaii Revised Statutes, in which the exclusive representative may negotiate the repricing of classes. If repricing is not negotiated, a five-year periodic repricing review is conducted by each jurisdiction.

Your Committee recognizes that it is extremely difficult for employees to seek the repricing of their classifications under the existing process as an employer may deny the employees' repricing requests by merely announcing its determination that all current position pricing is appropriate without providing a basis to which there is no recourse for the employees to appeal or adjudicate the employer's determination. Your Committee further recognizes that this measure seeks to ensure that public employees are being paid competitive and fair wages, which will allow public employers to better recruit and retain qualified workers.

While your Committee understands these concerns, your Committee additionally recognizes that providing mandatory timeframes within which repricing negotiations must be initiated and an agreement reached, the failure of which would cause impasse procedures to apply, may jeopardize an employer's ability to maintain an equitable pay system and pay relationships; expose an employer to serious claims of unequal pay or discrimination; and lead to costly arbitration hearings.

Therefore, your Committee has amended this measure by deleting its contents and replacing it with language that requires the Department of Human Resources Development to:

- (1) Conduct a study to review the repricing processes in section 89-9, Hawaii Revised Statutes, to allow for timely appeal and determination within state and federal law;
- (2) In conducting the study, work with other state and county employers and unions, including the Hawaii Government Employees Association and United Public Workers; and
- (3) Submit a report of its findings and recommendations, including proposed legislation, to the Legislature prior to the convening of the Regular Session of 2024.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 163, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 163, 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 (Keith-Agaran, Fevella).

**SCRep. 1229 Labor and Technology on H.B. No. 983**

The purpose and intent of this measure is to add the definitions of “public officer or employee” and “government” to section 701-108, Hawaii Revised Statutes, to clarify the scope and applicability of provisions relating to time limitations to bring prosecution based on misconduct in office.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that section 701-108(3)(b), Hawaii Revised Statutes, allows an extension of time to bring prosecution based on misconduct in office by public officers or employees. Your Committee recognizes that this statute is an important tool used by prosecutors to combat corruption as the misconduct by public officials often takes time to discover and investigate. According to oral testimony received by your Committee, although the terms “public officer or employee” and “government” do not seem ambiguous, these terms are currently the subject of litigation in other jurisdictions. Your Committee further finds that the definition of “public officer or employee” proposed in this measure is the same definition as “public servant” under section 710-1000, Hawaii Revised Statutes.

Accordingly, your Committee has amended this measure by:

- (1) Changing references of “public officer or employee” to “public servant”;
- (2) Clarifying the definition of “public servant” to reference the definition of the same term in section 710-1000, Hawaii Revised Statutes;
- (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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 983, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 983, 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 (Ihara).

**SCRep. 1230 Labor and Technology on H.B. No. 1014**

The purpose and intent of this measure is to clarify the conditions under which service-connected disability and accidental death benefits are provided to members of the Employees’ Retirement System.

Your Committee received testimony in support of this measure from the Employees’ Retirement System.

Your Committee finds that the purpose of the State’s service-connected disability retirement and accidental death provisions is to provide a unique set of benefits to compensate members in hazardous occupations who have incurred certain permanent injuries while in the performance of their duties, accidental death in the performance of their duties, and for the cumulative impact of exposure to occupational hazards. However, recent court rulings have awarded service-connected disability retirement and accidental death provisions in a similar manner as service retirement, ordinary disability retirement, ordinary death benefits, workers’ compensation, and social security disability benefits. Not only is this interpretation of the State’s service-connected disability retirement and accidental death provisions beyond the Legislature’s intent, but the awards under this interpretation are increasing the unfunded liabilities of the State. Your Committee further finds that this measure will not affect the current provision of service-connected disability retirement and accidental death benefits to existing members of the Employees’ Retirement System.

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 and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1014, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1014, 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 (Keith-Agaran, Fevella).

**SCRep. 1231 Labor and Technology on H.B. No. 1087**

The purpose and intent of this measure is to remove the exclusion of employees who are guaranteed a monthly compensation of \$2,000 or more from the definition of "employee" for purposes of the Wage and Hour Law.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Rainbow Family 808.com Inc., Labor Caucus of the Democratic Party of Hawai'i, Education Caucus of the Democratic Party of Hawai'i, Hawai'i State AFL-CIO, Hawai'i Appleseed Center for Law & Economic Justice, International Alliance of Theatrical Stage Employees Local 665, Imua Alliance, and one individual.

Your Committee finds that this administration measure is meant to increase the amount of employees and employers covered under chapter 387, Hawaii Revised Statutes, relating to Hawaii's Wage and Hour Law, and thereby promote the health, efficiency, and well-being of Hawaii's workforce. Your Committee further finds that this measure will provide workers who are guaranteed compensation totaling \$2,000 or more a month with the protection afforded by the minimum wage rates, overtime rates, and employer recordkeeping requirements in chapter 387, Hawaii Revised Statutes.

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 and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1087, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1087, 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, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

**SCRep. 1232 Higher Education on H.B. No. 848**

The purpose and intent of this measure is to appropriate funds for the establishment of three permanent full-time equivalent (3.0 FTE) support staff positions for the Hawaii Institute of Marine Biology.

Your Committee received testimony in support of this measure from the University of Hawai'i System, He'eia National Estuarine Research Reserve, Pacific American Foundation, Kāne'ohe Bay Regional Council, Ko'olaupoko Hawaiian Civic Club, and six individuals.

Your Committee finds that the Hawaii Institute of Marine Biology performs cutting-edge oceans and coastal research and provides internationally recognized training for students in conservation-oriented and place-based scientific research. The Institute is also developing vocational and technical training opportunities, such as paid experiential learning internship programs for students of local community colleges. As the Institute grows its programs, the Institute's need for permanent support staff consequently also increases. This measure therefore supports the programmatic expansion of the Hawaii Institute of Marine Biology by appropriating funds for the establishment of additional permanent support staff positions.

Your Committee has amended this measure by:

- (1) Inserting language authorizing the Governor to correct any manifest clerical, typographical, or other mechanical errors that may be found in 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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 848, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 848, 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. 1233 Judiciary on H.B. No. 141**

The purpose and intent of this measure is to, beginning January 1, 2025, require each state legislator to include within the legislator's disclosure of financial interests the names of certain lobbyists with whom the legislator has a relationship.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Commission to Improve Standards of Conduct, League of Women Voters of Hawaii, All Hawaii News, and four individuals.

Your Committee finds that the public has a right to know who is in a position to influence legislators' decisions. Requiring additional disclosures that include identification of business relationships with lobbying groups will assist in identifying potential conflicts of interest, as well as ensure greater public confidence in the integrity of legislators.

Your Committee has amended this measure by adding language that specifies that each member of the legislature shall disclose the name of any person that is subject to section 97-3, Hawaii Revised Statutes, and that is a client of the member, member's partner, or member's employer, who is on the lobbyist list and not just a client with a lobbyist, where the client provided at least \$5,000 of income during the preceding calendar year.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 141, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 141, H.D. 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, none. Excused, 1 (Gabbard).

**SCRep. 1234 (Majority) Judiciary on H.B. No. 349**

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) Specify the rights of an emancipated minor; and
- (3) Establish procedures for the emancipation of minors.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Hawai'i Youth Services Network, Residential Youth Services and Empowerment, and one individual. Your Committee received testimony in opposition to this measure from the AHA Foundation. Your Committee received comments on this measure from the Judiciary, Department of Health, and one individual.

Your Committee finds that when a minor who has reached the age of sixteen petitions the Family Court for emancipation, the Family Court must act to protect the best interests of the petitioning minor. Your Committee further finds that due to levels of physical and emotional maturity, comparatively low access to resources, and various legal requirements relating to age, safeguards must be established to ensure the minor is not inequitably disadvantaged. This measure provides a pathway to emancipation for minors.

Your Committee has amended this measure by:

- (1) Specifying that the mental health evaluation to be conducted prior to the minor's emancipation be conducted by the Department of Human Services' Child Welfare Services Branch;
- (2) Specifying that the Family Court shall grant emancipation for a minor if numerous conditions are met including that the minor resides separately and apart from the minor's parents or guardian at the minor's own will, with or without the parents' or guardian's consent, and in absence of undue influence or coercion by a third party;
- (3) Specifying that the Family Court shall grant emancipation for a minor if numerous conditions are met including that the minor is not seeking emancipation under duress, including by coercion of a parent, guardian, or any other third party;
- (4) Making it effective On September 1, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 349, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 349, 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, 3. Noes, 1 (Awa). Excused, 1 (Gabbard).

**SCRep. 1235 Judiciary on H.B. No. 386**

The purpose and intent of this measure is to prohibit, in certain circumstances, the publication of the personal information of federal and state judges and other judicial staff whose duties put them at risk for acts of violence or threats.

Your Committee received testimony in support of this measure from the Judiciary, State of Hawaii Organization of Police Officers, and Hawaii State Bar Association.

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 publication of personal information of judges and judiciary staff, which will minimize the risk of threats or violence to these individuals.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 386, 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 (Gabbard).

**SCRep. 1236 Judiciary on H.B. No. 463**

The purpose and intent of this measure is to lower the threshold for disclosure of campaign expenditures for noncandidate committees to \$100.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that the State has sufficiently important government interests in an informed electorate, deterring corruption and the appearance of corruption, and gathering the data necessary to detect campaign spending violations. Campaign disclosure requirements directly serve these sufficiently important government interests. The State's existing campaign finance laws fail to reveal the source of campaign expenditures for noncandidate committees when the expenditures are under \$1,000. Because of this arbitrary limit, there is a lack of transparency that fails to inform the public about who is trying to influence an election. This measure will

enhance transparency by lowering the threshold for disclosure of campaign expenditures, thus providing greater accountability and public awareness.

Your Committee has amended this measure by inserting an effective date of March 22, 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. 463, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 463, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Gabbard).

**SCRep. 1237 Judiciary on H.B. No. 1100**

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, 2022.

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 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 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.

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. 1100, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1100, 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 (Gabbard, Awa).

**SCRep. 1238 (Majority) Agriculture and Environment on H.B. No. 197**

The purpose and intent of this measure is to:

- (1) Require the Department of Health to establish a Refrigerant Management Program to reduce emissions of high global warming potential refrigerants and any refrigerant that is an ozone depleting substance from stationary, commercial, and industrial refrigeration systems and air conditioning systems and adopt rules for the regulation of the use of such refrigerants;
- (2) Require the State Building Code Council to establish codes and standards consistent with the goal of reducing greenhouse gas emissions associated with hydrofluorocarbons when updating the State Building Code;
- (3) Specify that no law, rule, ordinance, or code, including the State Building Code, shall prohibit or limit the use of a refrigerant deemed acceptable under federal law; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Health; Hawai'i Climate Change Mitigation and Adaptation Commission; Hawai'i Environmental Change Agents' Decarbonization of Buildings Task Force; Kauai Climate Action Coalition; Environmental Caucus of the Democratic Party of Hawai'i; Air-Conditioning, Heating, and Refrigeration Institute, Climate Protectors Hawai'i; and ten individuals. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii and one individual.

Your Committee finds that hydrofluorocarbons are chemicals commonly used in air conditioning, refrigeration, and insulating foam and as propellants. Some types of hydrofluorocarbons are potent greenhouse gases with very high global warming potentials contributing to climate change. If hydrofluorocarbons continue to be used, it is estimated that they could account for up to twenty percent of global greenhouse gas emissions by 2050. This measure will establish a Refrigerant Management Program, which will help prevent the emission of high global warming potential hydrofluorocarbons into the atmosphere.

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. 197, 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, 2. Noes, 1 (Awa). Excused, 2 (DeCoite, Richards).

**SCRep. 1239 Agriculture and Environment on H.B. No. 609**

The purpose and intent of this measure is to appropriate funds to the Department of Agriculture for its meat inspection program, including the establishment of three full-time equivalent (3.0 FTE) inspectors to perform meat inspection services.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of the Mayor of the County of Maui; Maui County Farm Bureau; Ponoholo Ranch Limited; Hawai'i Farmers Union United; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and nine individuals.

Your Committee finds that food safety is a priority for a healthy community. Inspection of livestock prior to slaughter is a critical step to ensuring the safety of the State's food supply. Hawaii formerly had its own meat inspection capacity, in addition to those meat



inspectors provided by the federal government. However, due to economic conditions, the State eliminated these positions, wholly relying on federal inspection capacity. This measure restores the State's meat inspection program thus enabling an increase in local meat production while maintaining 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 H.B. No. 609, 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, 3. Noes, none. Excused, 2 (DeCoite, Richards).

**SCRep. 1240 Agriculture and Environment on H.B. No. 610**

The purpose and intent of this measure is to establish the farm workforce retention tax credit for farm employers or owners of farm employers who employ eligible farm employees.

Your Committee received testimony in support of this measure from the Department of Agriculture, Ulupono Initiative, Hawai'i Farmers Union United, Kuwale Ridge Farms, Ponoholo Ranch Limited, and seven individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that, like many industries in Hawaii, local agriculture struggles with a labor shortage. Due to the many costs that overwhelm farmers and ranchers and the high concentration of farms in certain areas of the State, it can be especially challenging to retain and attract high quality agricultural workers. Your Committee additionally acknowledges that the State is committed to doubling agricultural production and increasing food security in the State and that these goals would be inconceivable without farms offering competitive wages and appealing job opportunities. Therefore, this measure strives to provide financial relief for farmers and employers of farm employees by providing a tax credit for farms retaining employees for at least five hundred hours in the taxable year.

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. 610, 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, 3. Noes, none. Excused, 2 (DeCoite, Richards).

**SCRep. 1241 Agriculture and Environment on H.B. No. 692**

The purpose and intent of this measure is to increase administrative and criminal monetary penalties for violators of the Hawaii pesticides law.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Alliance for Progressive Action, Kanalani Ohana Farm, Food+ Policy Internship 2023, Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Farmers Union United, Imua Alliance, Pono Hawaii Initiative, Education Caucus of the Democratic Party of Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, and twenty-four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Pest Control Association; Expert Exterminators, Inc.; and one individual. Your Committee received comments on this measure from the Hawaii Crop Improvement Association.

Your Committee finds that state pesticide laws have not been amended in twenty-two years for commercial pesticide applicators and in nearly fifty years for private pesticide applicators. The Pesticides Branch of the Department of Agriculture has issued and closed almost one hundred violation notices for companies or individuals that repeatedly violate state pesticide laws. Your Committee further finds that twenty percent of repeat offenders have multiple notices of violation within the same time frame and that some offenders have had as many as four enforcement actions brought against them for the same types of violations. Your Committee, therefore, recognizes that the penalties for violating state pesticide laws require strengthening to ensure that individuals and companies are deterred from using pesticides outside of their legal limits and conditions. Thus, this measure increases the monetary fines for pesticide violations for pesticide misuse to protect public health and safety.

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. 692, 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. Noes, none. Excused, 2 (DeCoite, Richards).

**SCRep. 1242 Agriculture and Environment on H.B. No. 619**

The purpose and intent of this measure is to establish an income tax credit for qualified farms that donate eligible food products or prepared food to food banks or food pantries located in the State.

Your Committee received testimony in support of this measure from the Department of Agriculture, one member of the Maui County Council, Ulupono Initiative, Hawai'i Public Health Institute, Ponoholo Ranch Limited, Hawai'i Farmers Union United, Hawai'i Farm Bureau, Kuwale Ridge Farms, and nine individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that food insecurity has been a concern for many households in the State and was further exacerbated by the coronavirus disease 2019 pandemic. Local farmers often have surplus produce that goes to waste because it cannot be sold or stored

for long periods. By donating this food to food banks, farmers can help increase the amount of food available to food bank recipients. This measure provides a financial incentive to local farms that donate food to local food banks, thus decreasing food insecurity.

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. 619, 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, 3. Noes, none. Excused, 2 (DeCoite, Richards).

**SCRep. 1243 Agriculture and Environment on H.B. No. 971**

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; and
- (2) Appropriate funds for the Agricultural Emergency Loan Revolving Fund.

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; and one individual.

Your Committee finds that climate change-related and economic disasters now occur with greater frequency and create added hardship onto already struggling farm and ranch operations throughout the State. The Department of Agriculture supplies loans to farmers who have not been able secure funding elsewhere, but draws from a fund that is barely sufficient to meet demand. Thus, the Department of Agriculture has not been able to reserve any funds specifically for emergency or disaster relief loans. Your Committee further finds that during the 2022 Regular Session, the Legislature provided a one-time appropriation of \$1,500,000 for emergency loans to assist farmers and ranchers in the County of Maui adversely affected by drought and axis deer. However, the Department of Agriculture remains severely limited due to the lack of a dedicated and readily available emergency loan funding source. Therefore, this measure creates a revolving fund dedicated to funding agricultural emergency loans and appropriates funds to bolster the Department's ability to offer financial assistance.

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. 971, 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, 3. Noes, none. Excused, 2 (DeCoite, Richards).

**SCRep. 1244 Agriculture and Environment on H.B. No. 972**

The purpose and intent of this measure is to add revenue generated by the State Veterinary Laboratory and Animal Disease Control Branch as sources for the Animal Industry Special Fund and clarify that the funds from the special fund may be expended to make laboratory improvements.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and two individuals.

Your Committee finds that the Animal Industry Special Fund is used by the Department of Agriculture to fund the operations of its Animal Industry Division (Division), which is responsible for safeguarding the State's livestock and poultry industries by controlling and preventing the entry and spread of pests and diseases; operating the rabies quarantine program and the airport holding facility; conducting investigations into violations of animal quarantine and importation statutes; and providing veterinary laboratory support for diagnosing animal diseases. Under existing law, the Animal Industry Special Fund is funded by the use or rental of the Division's properties or facilities and by appropriations made by the Legislature. This measure directs revenue from work performed by the Division's veterinary laboratory into the special fund, thus ensuring that the Division's important operations are properly funded.

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. 972, 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, 3. Noes, none. Excused, 2 (DeCoite, Richards).

**SCRep. 1245 Agriculture and Environment on H.B. No. 973**

The purpose and intent of this measure is to repeal the requirement for additional rules by the Department of Agriculture to address nuisance issues, including smell, noise, and excessive lighting arising out of the activities of hemp growers.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Hawai'i Farmers Union United, Hawai'i Hemp Farmers Association, Hawai'i Sustainable Farms, and three individuals.

Your Committee finds that pre-existing regulations and authority under the Department of Health and county land use ordinances address, and are the appropriate method of addressing, the areas of nuisance relating to hemp. Where pre-existing frameworks of regulatory oversight for nuisance and other issues are present, a deferral to and reliance on those regulatory frameworks is the proper and preferred means to avoid any ambiguities that may arise. This measure will repeal the nuisance rules requirement that adds additional and duplicative regulations for Hawaii's hemp 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 H.B. No. 973, 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, 3; Ayes with Reservations (Rhoads). Noes, none. Excused, 2 (DeCoite, Richards).

**SCRep. 1246 Agriculture and Environment on H.B. No. 612**

The purpose and intent of this measure is to establish an income tax credit to alleviate the high costs of production for farmers, ranchers, and fishers and incentivize growth in the agricultural sector.

Your Committee received testimony in support of this measure from the Department of Agriculture; one member of the Maui County Council; Ulupono Initiative; Hawai'i Farmers Union United; Kanalani Ohana Farm; Ponoholo Ranch Limited; Ancient Valley Growers; Tinyville Farm; Hawai'i Farm Bureau; Kuwale Ridge Farms; Hawaii Cattlemen's Council, Inc; and thirteen individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the cost of doing business is a constraining factor for agriculture in Hawaii and that costs only continue to climb. Land, labor, equipment, and utility costs are on the rise, reducing an already small profit margin for farmers and ranchers and limiting the capacity and incentives for agriculture to grow and prosper. This measure will provide much-needed support for local food production by providing an income tax credit equal to one hundred percent of the qualified expenses of an eligible farmer and capped at an unspecified amount.

Your Committee has amended this measure by:

- (1) Removing language that would have provided a tax credit equal to one hundred percent of qualified expenses and instead setting tiered credit amounts based on net farm sales;
- (2) Removing language that would have made the tax credit refundable for eligible farmers with federal adjusted gross income under \$250,000;
- (3) Delaying the applicability date to taxable years beginning after December 31, 2023, to allow the Department of Taxation time to prepare proper forms; 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 H.B. No. 612, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 612, 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, 3. Noes, none. Excused, 2 (DeCoite, Richards).

**SCRep. 1247 Agriculture and Environment on H.B. No. 690**

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Agricultural Investment Program to support local agricultural producers;
- (2) Require annual reports; and
- (3) Appropriate funds for the program.

Your Committee received testimony in support of this measure from the Department of Agriculture; Ulupono Initiative; Ponoholo Ranch Limited; Hawai'i Farmers Union United; Hawai'i Farm Bureau; Hawai'i Alliance for Progressive Action; Local Food Coalition; Hawaii Cattlemen's Council, Inc.; Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i; Kuwale Ridge Farms; Food+ Policy Internship 2023; and thirteen individuals. Your Committee received comments on this measure from The Humane Society of the United States.

Your Committee finds that the State seeks to reduce food insecurity in Hawaii by investing heavily into local agriculture. Your Committee additionally notes that because more than eighty-five percent of all food consumed in the State is imported, the State is committed to doubling local food production by 2030. Therefore, sizeable investment and support is required to reach this goal. This measure establishes the Hawaii Agricultural Investment Program to serve as a dedicated funding source for local agriculture in Hawaii and allows the Department of Agriculture to invest funds directly to the farmers and ranchers to alleviate the financial strains on the agricultural sector in the State.

Your Committee has amended this measure by:

- (1) Adding appropriations for two full-time (2.0 FTE) positions to the Department of Agriculture Hawaii Agricultural Investment Program to manage the procurement process to award grants, generate and administer contracts, and manage the accounting oversight resulting from the awarding of grants; 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 H.B. No. 690, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 690, 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 (DeCoite, Richards).

**SCRep. 1248 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on H.B. No. 1383**

The purpose and intent of this measure is to

- (1) Establish a task force to identify the top ten fruits or vegetables that are imported into the State and can also be commercially grown in the State; and
- (2) Create an income tax credit to incentivize the production of those fruits or vegetables to obviate the need to import them into the State.

Your Committees received testimony in support of this measure from the Department of Agriculture, Ulupono Initiative, Hawai'i Farmers Union United, Kanalani Ohana Farm, Food+ Policy Internship 2023, Hawai'i Farm Bureau, and five individuals. Your Committees received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committees find that the State is committed to reducing Hawaii's dependency on food imports by supporting local agriculture. Hawaii currently imports almost ninety percent of its food and requires significant investment, foresight, and planning to enhance food security in the State. Your Committees further find that it is beneficial for the State that a task force be established to determine what imported fruits and vegetables can be produced locally. Therefore, this measure establishes a task force to identify the top ten most imported fruits and vegetables and creates an income tax credit for farmers that seek to produce these foods, thus bolstering food security in the State.

Your Committees have amended this measure by:

- (1) Adding a representative from the Hawaii Farmers Union United to the Agricultural Import Replacement Task Force;
- (2) Adding representatives from each of the county's economic development departments to the Agricultural Import Replacement Task Force; 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. 1383, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1383, 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. Noes, none. Excused, none.  
Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1249 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on H.B. No. 1384**

The purpose and intent of this measure is to create an income tax credit to incentivize the food manufacturing industry in the State.

Your Committees received testimony in support of this measure from the Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i, Hawaii Technology Development Corporation, Hawaii Food Manufacturers Association, Retail Merchants of Hawaii, Hawai'i Farm Bureau, Hawaii Food Industry Association, Ulupono Initiative, Chamber of Commerce Hawaii, and two individuals. Your Committees received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committees find that value-added products sourced from the local agriculture sector face significant challenges to success. High labor, land, transportation, utility, and supply costs result in narrow profit margins for value-added food producers, and they often are just able to break even financially. However, "adding value" to raw agricultural crops can reduce waste from off-grade or excess production and can also pay off in new business opportunities, increased employment, and expansion into other markets. This measure establishes an income tax credit to incentivize food producers to invest further into their value-added products to promote local agriculture, farm profitability, and food availability in Hawaii.

Your Committees have amended this measure by:

- (1) Reducing the income tax credit coverage from full coverage to fifty percent coverage of qualified expenses;
- (2) Requiring the Department of Agriculture to verify that qualified taxpayer applicants are manufacturing food with at least fifty-one percent of its wholesale value added by manufacture, assembly, fabrication, or production within the State; 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. 1384, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1384, 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. Noes, none. Excused, none.  
Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1250 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on H.B. No. 1426**

The purpose and intent of this measure is to:

- (1) Establish a Food and Product Innovation Network within the Agribusiness Development Corporation; and
- (2) Appropriate funds for Food and Product Innovation Facilities on the islands of Molokai, Oahu, and Hawaii.

Your Committees received testimony in support of this measure from Agribusiness Development Corporation, Ulupo Initiative, Hawai'i Farm Bureau, Hawai'i Forest Industry Association, Sustainable Molokai, Molokai Hunting Club, and two individuals. Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that farmers and food producers in the State seek to create additional revenue streams through value-added products, which are raw agricultural crops that undergo specified processes that add to their appeal in the marketplace, like packaged salad mix, for example. While there are economic incentives for farmers to innovate and create value-added products, they typically must resort to using facilities on the mainland, which can be too expensive to justify. Your Committees further find that value-added products can reduce food waste at farms by providing a use for cosmetically imperfect food crops that would otherwise be wasted. Therefore, this measure establishes food and product innovation facilities on Molokai, Oahu, and Hawaii islands to make available the infrastructure for farmers and ranchers in the State to create value-added products. This measure also establishes the Food and Product Innovation Network to provide support in actively addressing local food issues as they become increasingly complex and challenging.

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. 1426, 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.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1251 Higher Education on H.B. No. 580**

The purpose and intent of this measure is to:

- (1) Expand the victim-counselor privilege under the Hawaii Rules of Evidence to include confidential advocates employed by the University of Hawaii; and
- (2) Increase the minimum number of hours of training a domestic violence victims' counselor must complete to be considered a victim counselor.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawai'i State Coalition Against Domestic Violence, Women's Caucus of the Democratic Party of Hawai'i, Education Caucus of the Democratic Party of Hawai'i, American Association of University Women of Hawaii, The Every Voice Coalition, Imua Alliance, and fourteen individuals.

Your Committee finds that domestic violence survivors who receive services from the University of Hawaii are not afforded the same confidentiality protections as survivors who receive services from community advocates and service providers. The lack of protections offered by the University may dissuade survivors from accessing resources and seeking justice. To encourage survivors to utilize University supports, this measure ensures communications between domestic violence survivors and University of Hawaii confidential advocates are afforded the legal privilege of confidentiality status.

Your Committee further finds that the number of training hours required for domestic violence victims' counselors in the State is one of the lowest in the nation. On average, states require thirty-five hours of training to qualify as a domestic violence victims' counselor, whereas Hawaii requires twenty-five. This measure aligns the number of training hours required of Hawaii domestic violence victims' counselors with national requirements to ensure Hawaii counselors are equipped with the necessary skills and best practices to serve the people of the State.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 580, 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. 1252 Public Safety and Intergovernmental and Military Affairs on H.B. No. 522**

The purpose and intent of this measure is to remove the ability of the Governor or a mayor to suspend electronic media transmission during a state of emergency.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council; League of Women Voters of Hawaii; Civil Beat Law Center for the Public Interest; Hawaii Bulletin; For Our Rights; Society of Professional Journalists, Hawaii Chapter; Big Island Press Club; All Hawaii News; Hawaii Association of Broadcasters, Inc.; National Association of Broadcasters; and three individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Emergency Management Agency and twenty-four individuals. Your Committee received comments on this measure from the Grassroot Institute of Hawaii and one individual.

Your Committee finds that the power of a mayor or the Governor to suspend the transmission of electronic media during a state of emergency is overly broad and vague. Electronic media could include not only all radio and television broadcasts, but also text messages, emails, and posts to social media platforms. Your Committee believes that suspensions of electronic media transmission may unduly restrain lawful free speech and publication and violate the First Amendment of the United States Constitution during a period of emergency. This measure will ensure that the public's First Amendment rights remain protected during a state of emergency.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 522, 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 (McKelvey).

**SCRep. 1253 (Majority) Public Safety and Intergovernmental and Military Affairs on H.B. No. 984**

The purpose and intent of this measure is to clarify, revise, and update the State's firearms laws by:

- (1) Prohibiting firearms in certain locations and premises and providing for enhanced sentencing;
- (2) Requiring possession and disclosure of a license to carry;
- (3) Prohibiting an unsecured and unattended firearm in a vehicle;
- (4) Prohibiting consuming or being under the influence of alcohol, an intoxicating liquor, or a controlled substance when carrying a firearm;
- (5) Prohibiting carrying or possessing firearms on certain private property open to the public without express authorization;
- (6) Requiring annual reports from the Department of the Attorney General on carry licenses;
- (7) Amending the requirements for obtaining, and revocation of, firearms permits and licenses;
- (8) Amending the disqualification of persons from owning, possessing, or controlling a firearm; and
- (9) Expanding the qualified immunity for health care providers who provide information on firearms applicants to include physician assistants and advanced practice registered nurses.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; University of Hawai'i System; Hawai'i State Public Library System; Department of Transportation Services of the City and County of Honolulu; Healthcare Association of Hawaii; Hawai'i Children's Action Network Speaks!; Brady Campaign to Prevent Gun Violence; Retail Merchants of Hawaii; Hawai'i State Coalition Against Domestic Violence; Hawaii Bankers Association; Church of the Crossroads United Church of Christ; Everytown for Gun Safety; Moms Demand Action for Gun Sense in America; Students Demand Action for Gun Sense in America; Indivisible Hawaii; Hawaii Coalition to Prevent Gun Violence; Hale Ola Spa and Apothecary; Hawaii Credit Union League; Epic 'Ohana, Inc.; and more than two hundred individuals. Your Committee received testimony in opposition to this measure from the National Rifle Association of America; Hawaii Firearms Coalition; Rosa's Arms, LLC; Hawaii Federation of Republican Women; and more than one hundred individuals. Your Committee received comments on this measure from the Honolulu Police Department and Domestic Violence Action Center.

Your Committee finds that the United States Supreme Court held in *New York State Rifle and Pistol Association v. Bruen*, 142 S. Ct. 2111 (2022) that the Second Amendment requires that state law must provide clear and objective criteria to determine when licenses to carry firearms in public will be granted; and if an applicant meets the statutory criteria established by the state legislature, then a license to carry a concealed weapon in public shall be granted. The Supreme Court's *Bruen* decision will result in a significant increase in the presence of firearms in public, with more individuals carrying concealed firearms in Hawaii than ever before in the State's history. Your Committee believes that this presents serious challenges for public health and safety. This measure addresses the serious hazards to public health, safety, and welfare posed by firearms and gun violence by clarifying, updating, and revising the State's firearms laws.

Your Committee has amended this measure by:

- (1) Including the following as locations where carrying a firearm is prohibited:
  - (A) All public library property, buildings, facilities, meeting rooms, and spaces used for community programming;
  - (B) Research facilities at any public or private community college, college, or university;
  - (C) Any shelter, residential, or programmatic facility operated by a government entity or a charitable organization serving unhoused persons or victims of domestic violence or children, including children involved in the juvenile justice system; and
  - (D) Paratransit vans and bus shelters; 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 and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 984, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 984, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 1254 (Joint) Public Safety and Intergovernmental and Military Affairs and Government Operations on H.B. No. 1037**

The purpose and intent of this measure is to update the statutes regarding the Statewide Interoperable Communications Executive Committee to reflect the migration of the Office of Homeland Security from the Department of Defense to the Department of Law Enforcement.

Your Committees received testimony in support of this measure from the Department of Defense, Department of Law Enforcement, and Office of Homeland Security. Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that Statewide Interoperable Communications functions are currently part of the Office of Homeland Security. Your Committees further find that the Office of Homeland Security is migrating from the Department of Defense to the Department of Law Enforcement. This measure will make necessary updates to statutory language to reflect the transfer of the Office of Homeland Security from the Department of Defense to the Department of Law Enforcement.

As affirmed by the records of votes of the members of your Committees on Public Safety and 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. 1037, 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.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1255 Labor and Technology on H.B. No. 1205**

The purpose and intent of this measure is to clarify that exclusive representatives of public employees are not required to provide grievance representation to collective bargaining unit members who do not pay dues or dues equivalents and who decline to pay reasonable costs of the representation.

Your Committee received testimony in support of this measure from the University of Hawaii Professional Assembly and State of Hawaii Organization of Police Officers. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments from one individual.

Your Committee finds that section 89-8, Hawaii Revised Statutes, currently requires exclusive representatives to provide grievance representation to all employees within the collective bargaining unit, regardless of their membership status. Your Committee recognizes that the United States Supreme Court, through *Janus v. AFSCME*, 138 S.Ct. 1338, (2018), held that non-member public employees cannot be compelled by law to pay agency fees, which were intended to cover the pro-rata costs of representation, namely contract negotiation and administration. According to testimony received by your Committee, this measure is an essential tool to address the unique demands of a bargaining unit that historically has a significant percentage of non-members, while simultaneously providing all public sector bargaining units with the same essential tools. Your Committee further notes that the scope of this measure is limited to the provision of grievance representation of the non-member employee. Your Committee further recognizes that due to the potentially long and costly grievance process, the exclusive bargaining representative may decline to provide grievance representation for non-member employees who decline to pay the reasonable costs for the representation.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1205, 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. Noes, none. Excused, 2 (Ihara, Fevella).

**SCRep. 1256 Labor and Technology on H.B. No. 413**

The purpose and intent of this measure is to appropriate an unspecified amount of funds for the Department of Human Resources Development to retain the services of an online employment marketplace or networking platform to assist in recruiting employees for the State.

Your Committee received testimony in support of this measure from the Department of Human Resources Development.

Your Committee finds that the State currently has over four thousand vacant positions. According to oral testimony received by your Committee, the Department of Human Resources Development is actively recruiting over four hundred positions at any given time. This measure would allow the Department of Human Resources Development to simultaneously reach a wider audience and execute a targeted recruitment strategy to attract qualified individuals to fill the State's vacant positions.

Your Committee has amended this measure by inserting language that clarifies that the appropriation is meant to match the federal funds obtained by the Department of Human Resources Development to develop recruitment teams to work with line agencies to expedite recruitment of employees for the State.

Your Committee notes that the Senate Draft 1 of this measure contains an unspecified appropriation amount to the Department of Human Resources Development. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$50,000.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 413, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 413, 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 (Ihara, Fevella).

**SCRep. 1257      Judiciary on H.B. No. 68**

The purpose and intent of this measure is to appropriate funds to establish a centralized statewide criminal pretrial justice data reporting and collection system pursuant to state law.

Your Committee received testimony in support of this measure from the Judiciary, Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Correctional System Oversight Commission, Women's Prison Project, Opportunity Youth Action Hawai'i, and one individual.

Your Committee finds that criminal justice research is critical to address the questions and pressing needs of policymakers, decision-makers, and the community on criminal justice matters. This is particularly an issue when seeking research on dynamic populations and trends such as those related to jails and pretrial procedures. The research that is needed to allow these stakeholders to make timely and informed data-driven decisions about Hawai'i's criminal justice system is not possible without a pretrial database and reporting system. This measure will establish a centralized statewide criminal pretrial justice data reporting and collection system that will allow for better decision-making and planning.

Your Committee has amended this measure by:

- (1) Stipulating that ongoing staff support for the centralized statewide criminal pretrial justice data reporting and collection system be conducted by the Criminal Justice Research Institute's staff and not be contracted to another entity;
- (2) Requiring the Criminal Justice Research Institute to protect any information and data that may be shared;
- (3) Requiring the Criminal Justice Research Institute to submit a semi-annual report regarding the creation of the centralized statewide criminal pretrial justice data reporting and collection system to the Legislature for two years;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the Senate Draft 1 of this measure contains an unspecified appropriation amount. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting an appropriation amount of \$1,372,864 for fiscal year 2023-2024 and \$1,030,868 for fiscal year 2024-2025.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 68, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 68, 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 (Gabbard).

**SCRep. 1258      (Majority) Judiciary on H.B. No. 586**

The purpose and intent of this measure is to:

- (1) Require the Judiciary to develop, implement, and administer an automated court appearance reminder system that generates text message and electronic mail notifications for upcoming court appearances in certain types of cases; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Opportunity Youth Action Hawai'i, 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.

Your Committee finds that cases become backlogged when the parties to a court proceeding fail to appear and cause the proceeding to be delayed. However, if a court issues a text message reminder or other type of reminder regarding the future court appearance, cases are more likely to proceed as scheduled. This measure will require the Judiciary to implement an automated court appearance reminder system, which will encourage people who have a scheduled court appearance to voluntarily comply, reduce rates of "failure to appear", and thus help to maximize the efficiency of the Judiciary's operations.

Your Committee has amended this measure by deleting language that would have allowed the Judiciary to contract the administration of the automated court appearance reminder system to a third party.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 586, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 586, 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, 1 (Awa). Excused, none.

**SCRep. 1259      (Majority) Judiciary on H.B. No. 264**

The purpose and intent of this measure is to:

- (1) Make intentionally or knowingly causing bodily injury to a sports official a class C felony; and
- (2) Authorize a court to enjoin the offender from attending any sports event of the type at which the sports official was engaged in the lawful discharge of the sports official's duties.



Your Committee received testimony in support of this measure from the Department of Education, Honolulu Policy Department, and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Office of the Public Defender.

Your Committee finds that there is a shortage of sports officials and although there are several factors responsible for this shortage, harassment by unruly spectators and fans is a major contributing factor, especially when threats to cause bodily harm and other more serious assaultive conduct are made. This measure provides added protection of the justice system for sports official when threats and bodily harm are made by spectators and fans.

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. 264, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 264, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Gabbard).

**SCRep. 1260 Health and Human Services on H.B. No. 841**

The purpose and intent of this measure is to require domestic abuse protective order cases to be reported to the Department of Human Services when the case involves allegations of child abuse or neglect, rather than allegations of domestic abuse.

Your Committee received testimony in support of this measure from the Department of Human Services, Judiciary, Hawai'i State Coalition Against Domestic Violence, Domestic Violence Action Center, Hawaii Coalition for Child Protective Reform, and one individual.

Your Committee finds that the automatic referral of domestic abuse protective order cases to the Department of Human Services' Child Welfare Services Branch can deter parents of children experiencing domestic violence from pursuing a temporary restraining order against abusers. Abusers often use the threat of child removal or custody to dissuade victims from reporting domestic violence, and Child Welfare Services Branch investigations often cause domestic violence survivors further traumatization and victimization. This measure supports domestic violence survivors by limiting the scope of cases required for referral to the Department of Human Services, and reserves the Department's resources for investigations of reports of child abuse.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 841, 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, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1261 Health and Human Services on H.B. No. 617**

The purpose and intent of this measure is to:

- (1) Establish an Oral Health Task Force to review information and data relating to the status of oral health in the State and make recommendations to improve the State's oral health infrastructure; and
- (2) Appropriate funds to help facilitate the work of the Oral Health Task Force.

Your Committee received testimony in support of this measure from the Department of Human Services; Department of Health; State Council on Developmental Disabilities; Hawaii Disability Rights Center; Hawaii Dental Service; Hawai'i Oral Health Coalition; Hawai'i Children's Action Network Speaks!; Papa Ola Lōkahi; AlohaCare; Hawaii Dental Hygienists' Association; The Queen's Health System; Kūpuna Caucus of the Democratic Party of Hawai'i; Hawaii Dental Association; We Are One, Inc.; and five individuals. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that oral health is essential to an individual's overall physical, psychological, social, and economic well-being. Despite the importance of oral health, Hawaii residents generally suffer from poor oral health, and Hawaii has among the highest prevalence in the nation of preventable dental decay in children and adults. Further, the Department of Health's Dental Health Division was eliminated as part of the 2009 budget cuts. To address this public health concern, this measure establishes a task force to identify and develop strategies to improve oral health outcomes for Hawai'i's residents.

Your Committee notes the testimony submitted by the Hawaii Dental Association that recommends the membership of the task force include more dentists and that at least one dentist from each county should be invited to serve on the Oral Health Task Force. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider further examining the composition of the Oral Health Task Force to address this concern.

Your Committee has amended this measure by:

- (1) Clarifying that community advocates and representatives of private entities shall be invited to serve on, rather than be appointed to, the Oral Health Task Force;
- (2) Requiring that the interim report on the Oral Health Task Force's findings and recommendations be submitted to the Legislature by December 1, 2024, rather than December 1, 2023, and the final report be submitted by December 1, 2025, rather than December 1, 2024;
- (3) Designating that the Department of Health, rather than the Oral Health Task Force, shall submit the final report on the Task Force's findings and recommendations to the Legislature;

- (4) Requiring the Oral Health Task Force to dissolve on June 30, 2026, rather than June 30, 2025;
- (5) Specifying that the funds appropriated for the establishment of two full-time equivalent (2.0 FTE) Program Specialist positions shall be for two permanent full-time equivalent (2.0 FTE) Program Specialist positions;
- (6) Amending section 1 to reflect its amended purpose;
- (7) Making it effective upon its approval; 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 617, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 617, 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 (Awa).

**SCRep. 1262 Health and Human Services on H.B. No. 781**

The purpose and intent of this measure is to require that a child under eighteen years old in the custody of a law enforcement officer have contact with legal counsel and, to the extent practicable, a parent, guardian, or legal custodian, before waiving any right against self-incrimination and before any custodial interrogation.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Human Rights for Kids, Community Alliance on Prisons, and four individuals.

Your Committee finds that children require special and additional legal protections and assistance to help them understand, process, and participate in any custodial interrogation in which their constitutional rights are impacted. Children are particularly vulnerable to pressure and susceptible to giving false confessions. According to testimony received by your Committee, in 2017, eighty-six percent of minors who were later exonerated in the United States and were fourteen years old and under at the time of their interrogation reported they had falsely confessed to having committed a crime. To reduce incidents of false confessions and wrongful convictions of children, this measure ensures a child who is arrested has access to legal counsel before any custodial interrogation.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 781, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 781, H.D. 2, 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 (Awa).

**SCRep. 1263 Health and Human Services on H.B. No. 579**

The purpose and intent of this measure is to:

- (1) Establish a statewide Human Trafficking Prevention Program within the Department of the Attorney General to provide services and assistance to commercially sexually exploited children and victims of human trafficking; and
- (2) Require the Department of the Attorney General to report to the Legislature on the State's efforts to address the commercial sexual exploitation of children and human trafficking.

Your Committee received testimony in support of this measure from the Department of Human Services, Office of Hawaiian Affairs, Catholic Charities Hawai'i, Zonta Club of Hilo, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General and Department of Health.

Your Committee finds that Hawaii has the highest rate of missing persons per capita in the nation. Collaboration between departments, federal and state law enforcement, stakeholders, and providers is critical to locating victims and helps minimize the duplication of efforts across entities. To promote more structured, systematic, streamlined collaboration between agencies, this measure establishes a statewide program to address human trafficking.

Your Committee has amended this measure by:

- (1) Requiring the Department of the Attorney General to submit a report on the State's efforts to address the commercial sexual exploitation of children to the Legislature no later than twenty days prior to the convening of the Regular Session of 2026, rather than twenty days prior to the convening of the Regular Session of 2024;
- (2) Requiring the Department of the Attorney General to submit a report on the State's efforts to address human trafficking to the Legislature no later than twenty days prior to the convening of the Regular Session of 2027, rather than twenty days prior to the convening of the Regular Session of 2025;
- (3) Inserting an effective date of June 30, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 579, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 579, 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, 5. Noes, none. Excused, none.

**SCRep. 1264 Health and Human Services on H.B. No. 225**

The purpose and intent of this measure is to grant the Department of Human Services flexibility in developing a comprehensive child welfare information system, as required by Act 317, Session Laws of Hawaii 2022.

Your Committee received testimony in support of this measure from the Department of Human Services and three individuals.

Your Committee finds that the information technology system currently utilized by the Department of Human Services' Child Welfare Services Branch is outdated, time-consuming to use, and inaccessible to many partner agencies. The Department has begun to plan for the retirement of this existing system and development of an improved system. To ensure the Department procures a high-quality, cost-effective information technology system, this measure allows the Department to contract with multiple software providers and grants the Department more time to expend previously appropriated state funds.

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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 225, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 225, 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. 1265 Health and Human Services on H.B. No. 914**

The purpose and intent of this measure is to:

- (1) Require the Department of Health to prioritize investigations of complaints against state-licensed or state-certified care facilities based on the degree of severity of the allegations;
- (2) Clarify that any person, corporation, or any other entity in the health care or human services community is prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility; and
- (3) Repeal existing law providing that a landlord, under specified conditions, shall not be deemed to be providing home care services or operating a care facility that requires a license.

Your Committee received testimony in support of this measure from the Adult Foster Homecare Association of Hawaii, United Caregivers of Hawaii, Community Homecare Association of Hawaii, Alliance of Professional Primary Care Administrators, Provider Helping Hands of Hawaii, and four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition and one individual. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that uncertified or unlicensed long-term care facilities in the State endanger the health and safety of the State's elderly and vulnerable populations, as these facilities charge excessive amount of fees to its patients, but are not required to follow health and consumer protection regulations. Your Committee finds, however, that certain licensed care home operators and other persons continue to refer or transfer patients to these facilities, unbeknownst to the patients. Your Committee also finds that certain unlicensed care homes are abusing existing provisions of law that excludes certain landlords from licensing requirements to avoid the Department of Health's regulatory oversight. This measure will bolster the Department of Health's enforcement activities to protect the health, safety, and welfare of the State's elderly and vulnerable populations.

Your Committee has amended this measure by:

- (1) Repealing the provision in existing law that requires the Department of Health to conduct unannounced visits and inspections, including inspections for relicensing or recertification, of state-licensed special treatment facilities;
- (2) Clarifying that any person, corporation, or any other entity that provides health care or human services is prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of June 30, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 914, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 914, H.D. 1, 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. 1266 Health and Human Services on H.B. No. 278**

The purpose and intent of this measure is to:

- (1) Establish and appropriate funds for a working group to plan and implement a public health campaign for awareness of Alzheimer's disease and other related dementias; and

- (2) Appropriate funds for the Executive Office on Aging to create an Alzheimer's disease and related dementias public health campaign.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities; Alzheimer's Association – Hawaii; Hawai'i Primary Care Association; Hawai'i Family Caregiver Coalition; United Public Workers, AFSCME Local 646, AFL-CIO; AARP Hawai'i; Iron Workers Stabilization Fund; and eight individuals. Your Committee received comments on this measure from the Executive Office on Aging.

Your Committee finds that Alzheimer's disease is a public health crisis across the country and is currently the sixth leading cause of death in the United States. In Hawaii, approximately twenty-nine thousand individuals aged sixty-five and older live with Alzheimer's disease, a figure that is projected to increase by 20.7 percent by 2025. Furthermore, 6.7 percent of individuals in the State aged forty-five and over reported an increase in confusion or worsening memory loss, putting them at risk of later developing dementia; however, more than two-thirds have not discussed the issue with their health care providers. Your Committee also finds that a number of new therapies approved by the federal Food and Drug Administration may allow more people to participate in daily activities, remain independent, and decide on the future of their health. These therapies are beneficial at the early onset of the disease, and therefore, early detection and diagnosis are critical. This measure will allow implementation of a public awareness campaign to educate the public on early signs of cognitive impairment, the value of early detection and diagnosis, and the importance of discussing with health care professionals any changes in memory and thinking.

Your Committee acknowledges testimonies raising concerns that the establishment of a working group under this measure would be duplicative, since the Executive Office on Aging received the Building Our Largest Dementia (BOLD) Infrastructure for Alzheimer's Program Award from the federal Centers for Disease Control and Prevention in 2020, which led to the development of working groups, including one that is centered on addressing public awareness and education. Accordingly, amendments to this measure are necessary to address this concern.

Your Committee notes that although this measure contains an unspecified appropriation amount, should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider appropriating \$500,000 for fiscal year 2023-2024 for the Executive Office on Aging to create an Alzheimer's disease and related dementias public health campaign.

Your Committee has amended this measure by:

- (1) Deleting language that would have established and appropriated funds for a working group to plan and implement a public health campaign for awareness of Alzheimer's disease and other related dementias;
- (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 members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 278, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 278, 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. 1267 Transportation and Culture and the Arts on H.B. No. 704**

The purpose and intent of this measure is to:

- (1) Provide an exemption for flatbed trucks from registration renewals and initial registrations of motor carrier vehicles when used as marine terminal equipment temporarily moving in or between certain terminals; and
- (2) Add new terminal locales and roadways to be covered under the exemption.

Your Committee received testimony in support of this measure from International Longshore and Warehouse Union, Local 142 and ninety-five individuals.

Your Committee finds that as an island state, Hawaii relies on key highways, harbors, and airports to ensure the timely movement of cargo. As the majority of goods are imported to the State, removing certain restrictions will allow for more cargo to be transported statewide. This measure creates greater efficiency in the cargo transportation sector to maintain a constant flow of goods across the State.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 704, 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, 5. Noes, none. Excused, none.

**SCRep. 1268 (Majority) Transportation and Culture and the Arts on H.B. No. 1319**

The purpose and intent of this measure is to authorize operators of bicycles, motorcycles, and mopeds to proceed through an intersection on a steady red signal during certain hours if the traffic signal is controlled by a vehicle detection device that is inoperative due to the size or composition of the bicycle, motorcycle, or moped.

Your Committee received testimony in support of this measure from the Department of Transportation, Indian Motorcycle Rider's Group, Street Bikers United Hawaii, and six individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department.

Your Committee finds that operators of bicycles, motorcycles, and mopeds traveling during periods of lighter traffic volume during the evening and early morning hours may not trigger traffic signals, due to their weight and composition varying significantly from passenger motor vehicles. As traffic signals may not change until a car, truck, or other heavier motor vehicle approaches the intersection, operators of bicycles, motorcycles, and mopeds may wait an unreasonable amount of time for a traffic signal to change. This measure ensures operators of bicycles, motorcycles, and mopeds can safely navigate intersections while also ensuring a degree of personal responsibility and public safety.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1319, 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, 4; Ayes with Reservations (Elefante, Inouye). Noes, 1 (Awa). Excused, none.

**SCRep. 1269 (Majority) Transportation and Culture and the Arts on H.B. No. 1108**

The purpose and intent of this measure is to amend the law relating to vehicle weight violations by replacing the fine schedule and increasing the potential fines based on multitude and magnitude of vehicle weight violations.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the State's highway infrastructure transports thousands of users each day. However, certain roadways may experience greater strain resulting from grossly overweight vehicles in addition to typical volume. This measure preserves the State's crucial roadway and bridge infrastructure while also ensuring public safety for all roadway users.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1108, 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, 1 (Awa). Excused, none.

**SCRep. 1270 Transportation and Culture and the Arts on H.B. No. 1107**

The purpose and intent of this measure is to make state law consistent with federal law regarding legal limits for gross vehicle weight and axle loads traveling on all public roadways.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that presently, there are inconsistencies between state and federal weight limits for vehicles traveling on all public roadways. Without uniform application across the State, certain roadways and transportation infrastructure may be adversely impacted by vehicles beyond permissible weight limits. This measure preserves the State's crucial transportation infrastructure while also ensuring the safety of all roadway users.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1107, 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. 1271 Transportation and Culture and the Arts on H.B. No. 1104**

The purpose and intent of this measure is to repeal the exemption relating to the issuance of citations for violations of section 291-35, Hawaii Revised Statutes, relating to vehicle gross weight, axle, and wheel loads.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the Department of Transportation oversees hundreds of miles of highways and associated infrastructure across the State. Presently, the Department of Transportation receives funding from the Federal Highway Administration for infrastructure improvements and maintenance that are contingent upon adherence to federal regulations for the size and weight program for motor vehicles traveling on the Interstate Systems. This measure conforms existing law with federal regulations to minimize premature deterioration to public infrastructure while also ensuring the safety of all roadway users.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1104, 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. 1272 Transportation and Culture and the Arts on H.B. No. 74**

The purpose and intent of this measure is to establish a five-year general excise tax exemption beginning January 1, 2024, for amounts received from the servicing and maintenance of helicopters in an aircraft service and maintenance facility or from the

construction of a facility that services and maintains helicopters where at least seventy-five percent of the helicopters serviced and maintained annually in the facility are equipped with quiet technology.

Your Committee received testimony in support of this measure from the Department of Transportation, Aircraft Owners and Pilots Association, and Blue Hawaiian. Your Committee received testimony in opposition to this measure from Jack Harter Helicopters. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the aviation industry is a major stakeholder in the State's transportation sector and economy. The State's remote geography requires a reliance on a variety of air transportation, including medical operations, air tours, and disaster relief. Your Committee further finds that, with the prevalence of daily air transportation operations, certain communities are affected by noise pollution. Incentivizing aircraft service and maintenance facilities to service and maintain more helicopters that are equipped with quiet technology may provide timely, continued air transportation service while also prioritizing public health needs. This measure modernizes existing law to provide parity for smaller aviation operators while also addressing public health concerns arising from noise pollution.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "quiet technology" to specify the usage of a shrouded tail rotor or removal of the tail rotor to achieve a reduction or redirection of sound; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 74, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 74, 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 (Elefante). Noes, none. Excused, none.

**SCRep. 1273 Transportation and Culture and the Arts on H.B. No. 600**

The purpose and intent of this measure is to:

- (1) Establish the Safe Routes to School Advisory Committee within the Planning Branch of the Highways Division of the Department of Transportation; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Transportation; Department of Education; State Council on Developmental Disabilities; Hawai'i Climate Change Mitigation and Adaptation Commission; Honolulu Police Department; Department of Transportation Services of the City and County of Honolulu; Maui Metropolitan Planning Organization; Hawaii State Teachers Association; Ulupono Initiative; Hawai'i Public Health Institute; Hawaii Primary Care Association; Malama Kauai; We Are One, Inc.; AlohaCare; Hawaii Children's Action Network Speaks!; and fourteen individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that safe routes to schools provide Hawai'i's keiki with safe and secure alternative transportation methods while also promoting physical exercise and healthy habits. Presently, elementary school students who live within one mile and secondary students who live within one and a half miles of their home school are not eligible for transportation provided by the Department of Education. Additionally, some families may be unable to walk, bike, roll, or ride with their students to school because of employment obligations or other factors. This measure will improve safe routes to schools to protect Hawai'i's keiki while also reducing traffic congestion across the State.

Your Committee has amended this measure by:

- (1) Deleting language that would have established the Safe Routes to School Advisory Committee;
- (2) Requiring the Safe Routes to School Program Coordinator, rather than the Safe Routes to School Advisory Committee, to develop a comprehensive statewide Safe Routes to School Plan;
- (3) Requiring the comprehensive statewide Safe Routes to School Plan to include performance measures, goals, strategies, and accountability for improving safety, active mode share, community investment in supportive programming, and infrastructure quality;
- (4) Adding language that authorizes the Safe Routes to School Program Coordinator to consult with relevant stakeholders;
- (5) Clarifying that the Safe Routes to School Program Coordinator shall be a central point of contact for all Safe Routes to School Programs, rather than federal Safe Routes to School Program;
- (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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 600, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 600, 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. 1274 Transportation and Culture and the Arts on H.B. No. 474**

The purpose and intent of this measure is to appropriate federal funds to sustain and support the State of Hawaii Museum of Natural and Cultural History.

Your Committee received testimony in support of this measure from the Bishop Museum, Historic Hawai'i Foundation, Society for Hawaiian Archaeology, and four individuals.

Your Committee finds that the State Museum of Natural and Cultural History, also known as Bishop Museum, serves a pivotal and integral role in education, research, and preservation and advancement of culture and science. The Bishop Museum's collections encompass more than twenty-five million catalogued objects. The Bishop Museum's researchers have also discovered over seventeen thousand species of plants, animals, and insects throughout the Pacific region in addition to other discoveries related to migration, settlement, and daily life of Pacific peoples. This measure provides continued support to the State Museum of Natural and Cultural History to ensure the stories of Hawaii and other Pacific nations can be shared with residents, tourists, and the rest of the world.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 474, 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; Ayes with Reservations (Elefante). Noes, none. Excused, 1 (Keohokalole).

**SCRep. 1275 Transportation and Culture and the Arts on H.B. No. 1113**

The purpose and intent of this measure is to:

- (1) Authorize funds in the State Highway Fund to be expended to maintain the drug and alcohol toxicology testing laboratory;
- (2) Authorize funds in the Drug and Alcohol Toxicology Testing Laboratory Special Fund to be administered and expended by the Department of Transportation or appropriated as a grant-in-aid to the City and County of Honolulu Emergency Services Department to support the laboratory;
- (3) Require reports to the Legislature; and
- (4) Appropriate funds for the laboratory.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the safety of all roadway users is of paramount importance. Presently, the Department of Health does not have enough resources to fulfill the increased need for blood alcohol testing across the State. Additionally, the Emergency Services Department of the City and County of Honolulu processes all alcohol blood level tests for the entire State, including tests for suspected cases of driving under the influence. This measure eases the resource-intensive strain on blood alcohol level testing to create safer roadways for Hawaii's people.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1113, 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 (Keohokalole).

**SCRep. 1276 Transportation and Culture and the Arts on H.B. No. 819**

The purpose and intent of this measure is to designate Limu Kala (*Sargassum echinocarpum*) as the official Hawaii state limu.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Limu Hui of Kua'aina Ulu 'Auamo, Kua'aina Ulu 'Auamo, Mālama Pūpūkea-Waimea, Mālama Limu Club of Kamehamea Schools, Hui Maka'ainana O Makana, and seven individuals.

Your Committee finds that limu plays a critical role in the State's natural environment and its cultural significance to Hawaii's people. While the term "limu" includes a broad range of organisms such as moss and lichen, limu kala is a species that grows in brackish environments where streams or springs connect to river mouths or estuaries, eventually connecting to the ocean. This measure recognizes the importance of limu kala in cultural and scientific settings while also raising awareness of all limu species across the State.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 819, 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, 4. Noes, none. Excused, 1 (Keohokalole).

**SCRep. 1277 Transportation and Culture and the Arts on H.B. No. 475**

The purpose and intent of this measure is to appropriate funds to the State Foundation on Culture and the Arts for the Art in Private Places Program and to establish one position for the Foundation.

Your Committee received comments on this measure from the State Foundation on Culture and the Arts.

Your Committee finds that providing works of art in public spaces allows residents and tourists to appreciate the State's cultural heritage. Presently, the State Foundation on Culture and the Arts displays sixty-eight percent of its collection, allowing thousands of people to view the State's art history at various public institutions. However, providing additional access to the arts through partnerships with private institutions and places will allow for greater exposure of art. This measure provides greater accessibility to the arts to share Hawaii's artistic heritage.

Your Committee also finds that the performing arts, which include singing, dancing, theater, and musical performances, provide engaging experiences and opportunity to share meaningful stories of Hawaii's history and culture, and should be recognized as an artistic medium within the purview of the State Foundation on Culture and the Arts.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that establishes the Art in Private Places and Performing Arts Committee within the State Foundation on Culture and the Arts;
- (2) Requiring the Art in Private Places and Performing Arts Committee to establish an Art in Private Places Pilot Program;
- (3) Requiring the Art in Private Places and Performing Arts Committee to establish a Performing Arts Pilot Program under which the Committee will solicit, review, and select grant proposals for performing arts grants;
- (4) Requiring the Art in Private Places and Performing Arts Committee to submit annual reports to the Legislature;
- (5) Inserting language that establishes the Performing Arts Special Account to be utilized for the coordination, planning, promotion, marketing, and execution of performing arts events;
- (6) Including the Performing Arts Pilot Program and the coordination, planning, promotion, marketing, and execution of performing arts events within the purposes of the State Foundation on Culture and the Arts;
- (7) Defining "performing arts"; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 475, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 475, 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. 1278 Health and Human Services on H.B. No. 546**

The purpose and intent of this measure is to:

- (1) Require the Fuel Tank Advisory Committee to hold no fewer than one regular meeting in each quarter of a calendar year; and
- (2) Appropriate an unspecified amount of funds for the Department of Health to obtain contractor support for additional meetings of the Fuel Tank Advisory Committee.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Honolulu Board of Water Supply, Environmental Caucus of the Democratic Party of Hawai'i, Sierra Club of Hawai'i, and one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that the Fuel Tank Advisory Committee was established in 2016 to study issues related to leaks of certain fuel storage tanks throughout the State, specifically issues surrounding leaks at the Red Hill Bulk Fuel Storage Facility (Red Hill Facility) managed by the United States Department of Navy (Navy) and the United States Department of Defense's Defense Logistics Agency (DLA). According to testimony, the Fuel Tank Advisory Committee meetings are the only consistent venue for members of the public to receive and request information relating to the Red Hill Facility, and although the frequency of its meetings was increased from once to twice a year following the fuel release at the Red Hill Facility in November 2021, progress made by the Navy and DLA in mitigating the contamination remains unclear. Requiring the Advisory Committee to hold quarterly meetings will allow for more timely disclosure of spill events and the responses to deal with them; better communication regarding current efforts for aquifer recovery and remediation; better opportunities for the public to present their concerns; and more coordination of members of the Advisory Committee to address concerns related to the 2015 Red Hill Administrative Order on Consent that requires the investigation, cleanup, and prevention of releases, and the proposed 2023 Red Hill Administrative Order on Consent that sets forth steps to ensure the safe defueling and closure of the facility.

Your Committee notes that although this measure contains an unspecified appropriation amount, should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers appropriating \$350,000 to fund contractor services to assist the Department of Health in the preparation, facilitation, and execution of the Fuel Tank Advisory Committee's quarterly meetings.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 546, 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. 1279 (Joint/Majority) Public Safety and Intergovernmental and Military Affairs and Water and Land on H.B. No. 1303**

The purpose and intent of this measure is to appropriate funds to the City and County of Honolulu Board of Water Supply to create a pilot program that incentivizes residential homeowners in certain dry areas to replace water-intensive landscaping with alternatives that reduce water use.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Honolulu Board of Water Supply, Hawaii Reef and Ocean Coalition, Environmental Caucus of the Democratic Party of Hawai'i, and one individual.

Your Committees find that water conservation and efficiency of water use are essential because climate change is expected to reduce future freshwater availability in the State and may cause an increase in the frequency and severity of drought events. Your Committees believe that incentives for residential homeowners to replace water-intensive landscaping with alternatives that use less water is an effective way to reduce residential water use in the State. This measure will conserve the State's finite water resources and ensure the health of the State's fresh water supply.

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 and 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 H.B. No. 1303, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1303, 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 and Intergovernmental and Military Affairs: Ayes, 4. Noes, 1 (Awa). Excused, none.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Chang).

**SCRep. 1280 Housing on H.B. No. 217**

The purpose and intent of this measure is to increase the cost valuations of work on buildings for the work to qualify for an exemption from the requirement that plans and specifications for construction projects be prepared by a licensed engineer or architect.

Your Committee received testimony in support of this measure from Sunrun, Inc.; 350Hawaii.org; and two individuals. Your Committee received testimony in opposition to this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects. Your Committee received comments on this measure from the AIA Hawaii State Council.

Your Committee finds that existing law establishes exemptions from professional stamp requirements for home renovation projects based on the cost valuation of the work. However, the current cost valuations have not been updated since 1979. Since that time, the American Institute for Economic Research has found that the value of the United States dollar has inflated by over three hundred percent. This measure will reduce time and costs for individuals looking to perform smaller-scale projects on their homes, especially rooftop solar and storage projects.

Your Committee has amended this measure by:

- (1) Aligning the measure with its title relating to home renovations by specifying that the requirement for certain plans to be prepared by a licensed engineer or architect shall not apply to work in respect to any:
  - (A) Privately owned or privately controlled one-storied building or structure, the estimated cost of which does not exceed \$40,000, nor to any privately controlled two-storied building or structure, the estimated cost of which does not exceed \$35,000; or
  - (B) Privately owned or privately controlled one-storied residence, the estimated cost of which does not exceed \$96,500, nor to any privately owned or privately controlled two-storied residence, the cost of which does not exceed \$86,500; provided that, for this exemption to apply to the construction of a new residence, it shall be noted and recorded with the Bureau of Conveyances;
- (2) Inserting language clarifying that the following work shall not be exempt from the requirements of chapter 464, Hawaii Revised Statutes:
  - (A) Any structure or improvement for which public officials having jurisdiction require the use of an appropriately licensed design professional; and
  - (B) Any improvement under rules established by a landowner or an association of owners for private property under their respective jurisdiction;
- (3) Amending section 1 to reflect its amended purpose;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 217, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 217, 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, 4. Noes, none. Excused, 1 (Aquino).

**SCRep. 1281 (Joint/Majority) Housing and Health and Human Services on H.B. No. 224**

The purpose and intent of this measure is to:

- (1) Establish a two-year Public Housing Tenant Upward Mobility Pilot Program to provide public housing tenants with part-time, on-the-job paid training and work experience to fulfill minimum qualifications needed for future part-time and full-time employment; and
- (2) Appropriate an unspecified amount of funds for the implementation of the pilot program.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority and five individuals. Your Committees received comments on this measure from one individual.

Your Committees find that some public housing tenants lack adequate training or work experience needed to find gainful employment. By empowering public housing tenants to learn valuable skills and earn higher incomes, these residents may eventually be able to leave public housing and break cycles of poverty.

Your Committees further find that the Hawaii Public Housing Authority, recently received “Moving to Work” designation from the United States Department of Housing and Urban Development, which allows public housing authorities some flexibility with federal funds to design and test innovative ways to address local housing needs in communities across the country. According to testimony received by your Committees, the Hawaii Public Housing Authority believes that this general funded pilot program can lead the way for a future expansion enabled by federal funding to further implement upward mobility workforce development programs for public housing tenants.

Your Committees have amended this measure by:

- (1) Requiring the Hawaii Public Housing Authority to submit an interim and final report to the Legislature concerning the pilot program;
- (2) Re-inserting the original appropriation amount of \$500,000; 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 Housing and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 224, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 224, 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, 4. Noes, 1 (Awa). Excused, none.

Health and Human Services: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1282 Housing on H.B. No. 677**

The purpose and intent of this measure is to:

- (1) Require the Hawaii Housing Finance and Development Corporation to establish a five-year Dwelling Unit Revolving Fund Equity Pilot Program;
- (2) Establish one full-time equivalent Housing Development Specialist III position to support the pilot program; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State is in a housing crisis. Your Committee further finds that this measure seeks to increase homeownership opportunities for certain Hawaii residents, particularly those at the eighty percent to one hundred twenty percent area median income level. According to testimony received by your Committee, the intent of the Dwelling Unit Revolving Fund Equity Pilot Program (Pilot Program) is for the Hawaii Housing Finance and Development Corporation (HHFDC) to purchase equity in for-sale developments, which will then be allocated to specific units within the development, in order to lower the price of the unit for eligible buyers.

Your Committee notes that for any program that offers potentially considerable benefits, it is critical for the eligibility requirements to be clearly specified and to ensure they meet the State’s priorities and goals. Your Committee further notes that it is therefore necessary for HHFDC to collaborate with the Legislature when establishing the criteria to prioritize eligible buyers of the Pilot Program to make sure any awards are proper and aligned with the policies of the State. Criteria established by HHFDC may include factors such as the length of time on a Department of Hawaiian Home Lands waitlist, lack of gift funds, whether the eligible buyer or the eligible buyer’s family has ever owned real property, government employment, and other relevant factors.

Accordingly, your Committee has amended this measure by:

- (1) Requiring HHFDC to:
  - (A) Establish criteria for the prioritization of eligible buyers of the Pilot Program to be based on the State’s goals and policies; and
  - (B) Submit a report to the Legislature regarding the criteria for the prioritization of eligible buyers of the Pilot Program prior to the Regular Session of 2024;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 677, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 677, 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 (Aquino).

**SCRep. 1283 Housing on H.B. No. 923**

The purpose and intent of this measure is to:

- (1) Require counties with a private activity bond issuance program to exhaust their allotment before applying to the State for the state allocation;
- (2) Require the State, if it receives a county allocation, to award that same amount to a project or projects in that county before awarding to projects in other counties;
- (3) 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
- (4) Require the directors of finance of each county to report to the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation the amount of the county's unused or unassigned allocation.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Housing and Community Development of the County of Hawaii, and Affordable Housing Connections LLC.

Your Committee finds that private activity bonds are currently the most limited multi-family rental housing financing resource. This measure will ensure fairness and equity in the allocation of private activity bonds, especially for the counties of Maui and Hawaii, which do not have private activity bond issuance programs.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 923, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 923, 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 (Aquino).

**SCRep. 1284 Housing on H.B. No. 951**

The purpose and intent of this measure is to appropriate funds to the Rental Housing Revolving Fund to be used to provide grants or loans to mixed-income rental projects or units for qualifying individuals and families.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Housing Hawaii's Future; EAH Housing; Hawai'i Association of REALTORS; NAIOP Commercial Real Estate Development Association, Hawaii Chapter; Highridge Costa Development Corporation; and two individuals.

Your Committee finds that the Hawaii Housing Finance and Development Corporation awarded a total of \$142,000,000 last year to finance nearly seven hundred sixty mixed-income rental housing units through its Rental Housing Revolving Fund Tier II Pilot Program. According to testimony received by your Committee, this measure will enable the Hawaii Housing Finance and Development Corporation to extend a second round of Rental Housing Revolving Fund Tier II funding to maintain financing for affordable rentals to working families in light of the private activity bond cap.

Your Committee has amended this measure by:

- (1) Extending the lapse date for any unused and unencumbered appropriation amounts that may be used for certain rental housing projects from June 30, 2024, to June 30, 2025, so as to preserve the consideration for Tier II funding applications; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 951, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 951, 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 (Aquino).

**SCRep. 1285 Housing on H.B. No. 1054**

The purpose and intent of this measure is to:

- (1) Establish a temporary Rental Deposit Loan Program and Rental Deposit Loan Program Revolving Fund;
- (2) Appropriate funds for the Rental Deposit Loan Program; and
- (3) Appropriate funds for the establishment of two full-time equivalent (2.0 FTE) positions to implement the Rental Deposit Loan Program.

Your Committee received testimony in support of this measure from the Chief Housing Office of the Office of the Governor; one member of the Maui County Council; AARP Hawai'i; Hawai'i Association of REALTORS; NAIOP Commercial Real Estate Development Association, Hawaii Chapter; Maui Chamber of Commerce; and two individuals. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that a Rental Deposit Loan Program that provides no-interest loans to certain individuals is one method to provide the financial support that residents need to secure rental units. However, according to testimony received by your Committee, the shortage of existing rental units in every county, coupled with the uncertainty in the length of time it will take for a county or nonprofit organization to process a loan request, verify eligibility, and issue a check, raises concerns regarding the practicality and effectiveness of the Rental Deposit Loan Program proposed in this measure as currently written.

Your Committee notes that the purpose and intent of the original version of this measure was to secure housing for workforce renters and provide incentives for the development of affordable housing through temporary expedited processes, including third-party review. Your Committee concludes that the language in the original version of this measure is preferable because it offers multiple incentives to both increase the rental housing inventory in the State and decrease costs for renters or buyers.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. 1054, Regular Session of 2023, the original version of this measure, which:
  - (A) Establishes the Rental Deposit Loan Program;
  - (B) Creates tax incentives for the development of affordable housing;
  - (C) Addresses government processes to lower housing costs; and
  - (D) Appropriates funds for the establishment of the Loan Program;
- (2) Further amending H.B. 1054, by deleting language that would have created a tax exemption for qualified persons and firms for the planning, design, financing, construction, sale, or lease of affordable housing units in the State that are part of a government agency's or approving body's condition for approval;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1054, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1054, 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 (Aquino).

**SCRep. 1286 Health and Human Services on H.B. No. 1255**

The purpose and intent of this measure is to:

- (1) Authorize the issuance of special purpose revenue bonds to assist West Maui Hospital Foundation, Inc. in the construction of West Maui Hospital and Medical Center in the County of Maui, including any necessary infrastructure; and
- (2) Require the County of Maui to serve as guarantor of any debt service on the special purpose revenue bonds.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Maui; Maui County Council; Maui Hotel & Lodging Association; West Maui Hospital Foundation, Inc.; Maui Chamber of Commerce; and nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that despite West Maui being home to several of Maui County's largest residential communities and renowned as one of Hawaii's premier visitor destinations, the region has no acute care hospital or related medical campus. Your Committee further finds that the unprecedented projected rates of growth in the number of residents and visitors in the region will substantially increase health care demands for an already underserved West Maui population. West Maui Hospital Foundation, Inc. is embarking on a project to complete the West Maui Hospital and Medical Center, a five-bed critical access hospital with a twenty-four-hour emergency room, three operating rooms, radiology, laboratory, pharmacy, and inpatient and outpatient services. Your Committee finds that this project will provide the West Maui region with its first acute care hospital and create significant job opportunities for local residents trained in health care. Your Committee therefore finds that authorizing the issuance of special purpose revenue bonds to assist in the financing of this project is in the best interest of public health.

Your Committee notes the testimony of the Department of Budget and Finance that should this measure be approved, approval of the issuance of the special purpose revenue bonds and conduit loan will require further review of the financing proposal to ensure compliance with all federal, state, and credit underwriting requirements.

Your Committee also notes that Act 182, Session Laws of Hawaii 2022, placed a moratorium on the issuance of new private activity bonds within the period after June 30, 2022, and before December 31, 2028, by prohibiting the authorization of special purpose revenue bonds requiring an allocation of the annual state ceiling under section 39B-2, Hawaii Revised Statutes, unless requested by the Governor and approved by the Legislature. Accordingly, amendments to this measure are necessary to explicitly exempt the special purpose revenue bonds issued pursuant to this measure from the limitation of Act 182, Session Laws of Hawaii 2022.

Accordingly, your Committee has amended this measure by:

- (1) Inserting a provision that explicitly exempts this measure from the requirements of Act 182, Session Laws of Hawaii 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1255, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1255, 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 (Shimabukuro).

**SCRep. 1287 Health and Human Services on H.B. No. 1356**

The purpose and intent of this measure is to appropriate funds to provide enhanced payments for coronavirus disease 2019-related costs and lost revenues to type I adult residential care homes and developmental disabilities domiciliary homes caring for Medicaid patients, under certain conditions.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, Kūpuna Caucus of the Democratic Party of Hawai'i, United Group of Home Operators, International Longshore & Warehouse Union Local 1000, and more than one hundred individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that type I (five residents or fewer) adult residential care homes and developmental disabilities domiciliary homes provide necessary care to vulnerable populations of the State. Licensed care homes provide for the daily needs, comfort, companionship, and supervision of residents at a lower cost than skilled nursing facilities and hospitals and serve as a cost-effective alternative to these facilities. The coronavirus disease 2019 pandemic and recent periods of high rates of inflation have had significant impacts on the costs necessary to operate local care homes. Therefore, this measure would appropriate funds to support the continued operation of type I adult residential care homes and developmental disabilities domiciliary homes in the State.

Your Committee notes the concerns raised in testimony that although the residents of type I adult residential care homes may be covered by Medicaid, type I adult residential care homes do not qualify for Medicaid payments for their residents, since these care homes do not meet the level of care criteria for professional health services provided in an intermediate care facility or skilled nursing facility. Further, the Department of Health's Developmental Disabilities Division, not the Department of Human Services, sets the rates for and directly reimburses developmental disabilities domiciliary homes. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the appropriated funds shall be for enhanced payments to providers of state-licensed adult residential care homes and developmental disabilities domiciliary homes that are caring for residents, rather than patients, who receive Medicaid benefits;
- (2) Clarifying that either the Department of Human Services or the Developmental Disabilities Division of the Department of Health, whichever is applicable, shall obtain the maximum amount of federal matching funds available for the appropriated funds; 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1356, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1356, 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. 1288 Health and Human Services on H.B. No. 1357**

The purpose and intent of this measure is to appropriate funds for enhanced payments for each Medicaid-eligible client under the care of certain care homes between July 1, 2009, and June 30, 2023, for each year the client received care.

Your Committee received testimony in support of this measure from the Kūpuna Caucus of the Democratic Party of Hawai'i, United Group of Home Operators, International Longshore and Warehouse Union Local 1000, and more than one hundred individuals. Your Committee received testimony in opposition to this measure from the Department of Human Services.

Your Committee finds that care homes, including community care foster family homes, type I adult residential care homes, expanded adult residential care homes, and developmental disabilities domiciliary homes, provide necessary care to vulnerable populations of the State. Licensed care homes serve as a cost-effective alternative to skilled nursing facilities and hospitals while providing for the daily needs, comfort, companionship, and supervision of residents. Therefore, this measure appropriates funds to support the continued operation of these care homes.

Your Committee notes, per testimony submitted by the Department of Human Services, that the funds appropriated for the enhanced payments provided for in this measure, as currently written, would not qualify for federal Medicaid matching. Therefore, the proposed enhanced payments would be funded entirely by state general funds. Your Committee further notes that the Department of Human Services does not reimburse developmental disabilities domiciliary homes. Rather, the Department of Health's Developmental Disabilities Division develops the rates for and makes payments to these care homes. In addition, the Department of Human Services does not reimburse type I adult residential care homes for home and community-based services, since these care homes do not meet the level of care criteria to qualify for reimbursement. Amendments to this measure are therefore necessary to address these issues.

Your Committee further finds that, similar to the intent of this measure, House Bill No. 1309, H.D. 1, introduced in the Regular Session of 2023, also addresses the financial hardships faced by certain care homes, including type I adult residential care homes, developmental disabilities domiciliary homes, and community care foster family homes. Whereas this measure currently appropriates funds for enhanced payments to certain care homes for Medicaid-eligible residents, House Bill No. 1309, H.D. 1, increases the maximum state supplemental payment amount the Department of Human Services is authorized to provide to certain care homes on behalf of a resident who is eligible for federal Supplemental Security Income or public assistance, or both, for expenses relating to the resident's care. The language of House Bill No. 1309, H.D. 1, is therefore preferable to that of this measure, as it does not require the Department of Human Services to act beyond its designated capacity by reimbursing care homes. Further, the state supplemental payment budget includes sufficient funds to accommodate the increased payment amounts proposed by House Bill No. 1309, H.D. 1, rendering an additional appropriation of state funds unnecessary.

Therefore, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of House Bill No. 1309, H.D. 1, a measure that:
  - (A) Beginning on July 1, 2023, requires that the state supplemental payment for type I adult residential care homes, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes increase from \$651.90 to \$772; and
  - (B) Appropriates funds to provide state supplemental payments in the amount of \$772 to certain care home providers for each resident under the provider's care who is eligible for federal Supplemental Security Income or public assistance, or both;
- (2) Further amending House Bill No. 1309, H.D. 1, by:
  - (A) Increasing the maximum state supplemental payment for type I adult residential care homes, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes to \$767, beginning on July 1, 2023;
  - (B) Increasing the maximum state supplemental payment for type II adult residential care homes from \$759.90 to \$857, beginning on July 1, 2023; and
  - (C) Deleting language that would have appropriated funds to the Department of Human Services;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1357, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1357, 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. 1289 Health and Human Services on H.B. No. 1074**

The purpose and intent of this measure is to clarify the definitions of "caregiver support services", "kupuna care services", and "respite care" for the Executive Office on Aging's Kupuna Care Program.

Your Committee received testimony in support of this measure from the Executive Office on Aging and Policy Advisory Board for Elder Affairs.

Your Committee finds that existing law limits caregiver support services and respite care provided by the Executive Office on Aging's Kupuna Care Program solely to employed caregivers. According to testimony received by your Committee, of the approximately 155,000 caregivers in the State, the great majority provide care to a spouse, family member, or loved one at home and without compensation. Additionally, many of these caregivers are kupuna themselves. This measure would not only allow area agencies on aging to provide stipends, respite care, and other caregiver support services to all caregivers, regardless of employment status, but also ensures that all care recipients, caregivers, and employed caregivers have access to the necessary services and supports provided by the Kupuna Care 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1074, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1074, 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. 1290 Health and Human Services on H.B. No. 872**

The purpose and intent of this measure is to appropriate funds to the Executive Office on Aging for the Hawaii Healthy Aging Partnership.

Your Committee received testimony in support of this measure from the Executive Office on Aging, Policy Advisory Board for Elder Affairs, Office of the Mayor of the County of Maui, Agency on Elderly Affairs of the County of Kauai, AARP Hawai'i, Hawai'i Family Caregiver Coalition, Pearl City Community Church, and more than one hundred individuals.

Your Committee finds that the Hawaii Healthy Aging Partnership furthers the Hawaii State Plan on Aging's first goal of maximizing opportunities for older adults to age well, remain active, and enjoy higher quality lives while engaging in their communities. The Partnership offers two programs, Better Choices Better Health and EnhanceFitness. Better Choices Better Health helps reduce pain, fatigue, shortness of breath, stress, and visits to physicians' offices and emergency rooms and has served 3,185 individuals across the State since its inception. EnhanceFitness helps kupuna avoid long-term complications associated with chronic conditions and has served 1,872 individuals since its inception. Despite the demand for these two programs, your Committee notes that the Partnership has not received state funding since 2019, when the Legislature appropriated \$550,000 to the Partnership. Without additional funding, the Partnership will be unable to continue offering Better Choices Better Health and EnhanceFitness. Therefore, this measure appropriates funds to the Hawaii Healthy Aging Partnership to continue to improve the health and well-being of Hawai'i's kupuna.

Your Committee has amended this measure by:

- (1) Specifying that the Executive Office on Aging of the Department of Health shall expend the appropriated funds; 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 872, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 872, 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. 1291 Health and Human Services on H.B. No. 470**

The purpose and intent of this measure is to:

- (1) Require a provider who renders no cost emergency shelter and related services to a minor to take steps to ensure that pertinent youth obtain and receive services from the juvenile justice or child welfare systems; and
- (2) Make permanent the definition of "provider" as it relates to entities eligible to provide no cost emergency shelter and related services to consenting minors.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Opportunity Youth Action Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Human Services, Hawai'i Youth Services Network, and Residential Youth Services & Empowerment.

Your Committee finds that minors experiencing homelessness in the State is an issue that needs to be addressed separately from adult and family homelessness. In this regard, in 2011, the Legislature passed Act 179, Session Laws of Hawaii 2011, to allow certain child placing organizations and child caring institutions to provide emergency shelter and related services to minors at no cost under certain circumstances. In 2021, recognizing that there is a population of homeless minors who avoid the use of no cost shelter services due to fear of being placed into the foster care system or an undesirable shelter situation, the Legislature passed Act 23, Session Laws of Hawaii 2021 (Act 23), expanding the definition of a "provider" who may render no-cost emergency shelter and related services to consenting minors to include organizations that are not child placing organizations or child caring institutions. Despite its critical importance to minors experiencing homelessness, Act 23 is scheduled to be repealed on June 30, 2023. This measure repeals the sunset date for Act 23, thereby making the expanded definition of "provider" permanent and provides further protection to minors in emergency shelters by requiring the providers to ensure that minors obtain and receive services from the juvenile justice or child welfare systems.

Your Committee acknowledges the concerns raised by testimony that the idea of being forced to accept services from the juvenile justice or child welfare systems may be a deterrent for minors who have unpleasant and traumatic experiences with those systems to access no cost emergency shelters. Your Committee also notes that S.B. No. 129, S.D. 1 (2023), a similar measure that was previously heard by your Committee, also repeals the sunset date for Act 23. Your Committee finds that the language in S.B. No. 129, S.D. 1, is preferable because it does not require no cost emergency shelter providers to ensure that pertinent youth obtain and receive services from the juvenile justice or child welfare systems, and provides further protection to minors utilizing no cost emergency shelters by requiring the shelters to maintain separation for unrelated adults and minors.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 129, S.D. 1, which requires providers of no cost emergency shelter and related services to maintain separation for unrelated adults and minor children, and repeals the sunset date for Act 23, thereby making permanent the amendments to the definition of "provider" to include organizations that are not child placing organizations or child caring institutions that meet certain criteria;
- (2) Inserting an effective date of June 30, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 470, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 470, 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. 1292 Health and Human Services on H.B. No. 581**

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 the dynamics of domestic violence every three years; and
- (2) Require the individuals to submit a letter or certificate of completion to the family court.

Your Committee received testimony in support of this measure from the Judiciary, Hawai'i State Coalition Against Domestic Violence, Domestic Violence Action Center, EPIC Ohana, Hawai'i Women's Coalition, Early Childhood Action Strategy, Child and Family Service, Women's Caucus of the Democratic Party of Hawai'i, Hawai'i Children's Action Network (HCAN) Speaks!, and seven individuals. Your Committee received testimony in opposition to this measure from the Hawaii Coalition for Child Protective Reform and three individuals.

Your Committee finds it essential that professionals who work before the family court and who have an impact on the safety and well-being of children and families understand the dynamics of domestic violence. Your Committee further finds that knowledge pertaining to domestic violence, including its lethality, subtlety, and prevalence, is especially important for child custody evaluators who provide written reports to the court and testify at court hearings and trials, so that their recommendations to the court truly serve the best interests of the child. This measure strengthens the quality of child custody proceedings in the State by ensuring that child custody evaluators receive continuing education on the issue of domestic violence.

Your Committee has amended this measure by:

- (1) Inserting an effective date of June 30, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 581, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 581, 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. 1293 Health and Human Services on H.B. No. 573**

The purpose and intent of this measure is to exclude fentanyl test strips from the definition of "drug paraphernalia" in the Uniform Controlled Substances Act.

Your Committee received testimony in support of this measure from the Department of Health, Community Alliance on Prisons, and four individuals.

Your Committee finds that there were seventy-four fatal opioid poisonings in Hawaii in 2021, fifty of which were caused by synthetic opioids containing fentanyl. Your Committee further finds that fentanyl test strips are a critical and low-cost harm reduction tool that helps prevent fatal overdose. Despite their potential to save lives, fentanyl test strips are classified as drug paraphernalia under existing state law, and possession of a single strip is subject to a fine of up to \$500. This measure therefore legalizes the possession and use of fentanyl test strips to address the rising number of overdose deaths caused by synthetic opioids.

Your Committee has amended this measure by:

- (1) Clarifying that the definition of "drug paraphernalia" does not include testing products utilized in determining whether a controlled substance contains chemicals, toxic substances, or hazardous compounds in quantities that can cause physical harm or death, including but not limited to fentanyl test strips; 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 573, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 573, 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. 1294 (Majority) Health and Human Services on H.B. No. 660**

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds in a total amount not to exceed \$240,000,000, in one or more series, to assist Hawai'i Pacific Health and one or more of its nonprofit affiliates in financing the costs of the construction of, improvements to, and equipping of their health care facilities at Straub Medical Center.

Your Committee received testimony in support of this measure from Hawai'i Pacific Health. Your Committee received comments on this measure from the Department of Budget and Finance and Disability and Communication Access Board.

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 Hawai'i Pacific Health is such an entity. Your Committee also finds that Hawai'i Pacific Health is embarking on a multiphase, multiyear modernization and redevelopment of its existing health care facilities at Straub Medical Center to create a future-forward medical facility to serve the people of Hawaii in the years ahead. Your Committee finds that in light of the evolution and changes in the way care is provided, the redevelopment of Straub Medical Center is crucial to providing high quality health care to the



community, and authorizing the issuance of special purpose revenue bonds to assist Hawai'i Pacific Health in financing the project is in the best interests of public health.

Your Committee notes the testimony of the Department of Budget and Finance that should this measure be approved, approval of the issuance of the special purpose revenue bonds and conduit loan will require further review of the financing proposal to ensure compliance with all federal, state, and credit underwriting requirements.

Your Committee also notes that Act 182, Session Laws of Hawaii 2022, placed a moratorium on the issuance of new private activity bonds within the period after June 30, 2022, and before December 31, 2028, by prohibiting the authorization of special purpose revenue bonds requiring an allocation of the annual state ceiling under section 39B-2, Hawaii Revised Statutes, unless requested by the Governor and approved by the Legislature. Accordingly, it is necessary to amend this measure to explicitly exempt the special purpose revenue bonds issued thereunder from this limitation.

Your Committee has amended this measure by:

- (1) Inserting a provision that explicitly exempts this measure from the requirements of Act 182, Session Laws of Hawaii 2022; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 660, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 660, 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 (Awa). Excused, none.

**SCRep. 1295 Health and Human Services on H.B. No. 314**

The purpose and intent of this measure is to appropriate funds to the Office of Community Services within the Department of Labor and Industrial Relations for the purchase, storage, and transportation costs of food to be distributed to those in need, allocated to the four counties using the methodology utilized by the Office of Community Services in administering The Emergency Food Assistance Program (TEFAP), a federal food security program.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Labor and Industrial Relations Office of Community Services, Hawai'i Public Health Institute, Hawaii Food Industry Association, Hawai'i Primary Care Association, Hawai'i Children's Action Network Speaks!, Hawai'i Hunger Action Network, Ulupono Initiative, Hawai'i Farm Bureau, Hawaii Medical Service Association, Maui Food Bank, Hawai'i Food Bank, Hawai'i Food Bank Kaua'i, and six individuals.

Your Committee finds that one in every six residents in the State, including one in every four children, faces food insecurity. The Office of Community Services administers federal food security programs, including TEFAP, which helps supplement the diets of low-income individuals by providing them with emergency food assistance at no cost. Under TEFAP, the Office of Community Services receives large amounts of surplus food from the United States Department of Agriculture that is distributed to low-income individuals in the State through the Hawaii food banks. This measure will appropriate the necessary funds to allow Hawaii's food banks to continue meeting residents' ongoing food security needs.

Your Committee has amended this measure by:

- (1) Updating the legislative findings to clarify that, during fiscal year 2020-2021, Hawaii's four food banks distributed 36,500,000 pounds of food statewide;
- (2) Clarifying that the purpose of the appropriation is to fund the purchase, storage, and transportation costs of food for distribution to the food banks in the State through the Office of Community Services;
- (3) Inserting an effective date of 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 314, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 314, 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. 1296 (Majority) Health and Human Services on H.B. No. 485**

The purpose and intent of this measure is to require the Department of Health to issue, upon receipt of required supporting documentation, new marriage certificates to individuals who have changed their gender, sex, and, if applicable, name.

Your Committee received testimony in support of this measure from the Department of Health; Hawai'i Civil Rights Commission; North Shore Ko'olau Diversity Collective; Stonewall Caucus of the Democratic Party of Hawai'i; Rainbow Family 808.com, Inc.; and nine individuals.

Your Committee finds that transgender individuals experience high levels of discrimination in all aspects of their lives. To help address discrimination, in 2019, the State expanded gender designation options to include the gender designation of "X" for state driver's licenses and identification cards. This measure will similarly advance more equitable treatment for the transgender community by allowing individuals to change their marriage certificates to reflect their gender identity.

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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 485, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 485, H.D. 3, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1297 Health and Human Services on H.B. No. 907**

The purpose and intent of this measure is to authorize reimbursement of services provided through telehealth by way of an interactive telecommunications system.

Your Committee received testimony in support of this measure from the Department of Human Services, Disability and Communication Access Board, University of Hawaii John A. Burns School of Medicine, The Hawaiian Islands Association for Marriage and Family Therapy, National Association of Social Workers – Hawai‘i, Hawai‘i Primary Care Association, AARP Hawai‘i, OhanaPsych, Hawai‘i Psychological Association, Alzheimer’s Association – Hawaii, Hawaii Substance Abuse Coalition, Epilepsy Foundation of Hawaii, Hawai‘i Pacific Health, Hawai‘i Public Health Institute, American Cancer Society Cancer Action Network, Hawaii Medical Association, AlohaCare, and eighteen individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of the Attorney General, and Hawaii Medical Service Association.

Your Committee finds that the State faces a continued shortage of health care providers, making telehealth an important tool that enables individuals to access health care, particularly on the neighbor islands and in rural areas. Your Committee finds however, that the definition of “telehealth” in terms of health insurance coverage, has traditionally required both audio and video capabilities, making it difficult to be utilized by elderly patients, as well as medically- and socially-complex patients, who often face limited broadband access and may experience difficulty navigating the technological aspects of traditional telehealth. Your Committee further finds that the federal Centers for Medicare and Medicaid Services authorizes coverage of audio-only services used in the treatment of mental health and substance abuse, under certain circumstances, allowing federally qualified health centers and rural health clinics to use audio-only telehealth to care for remote patients. This measure authorizes the use of standard telephone contacts for telehealth purposes in certain circumstances to ensure coverage parity across managed care plans and commercial health care plans in the State.

Your Committee notes that interested stakeholders in the health care community in this State have discussed potential amendments to this measure to further clarify the reimbursement provisions for audio-only communication telehealth services, and that their consensus language was incorporated into S.B. No. 1038, S.D. 2 (2023), which is the companion to this measure that was previously passed by the Senate. Amendments to this measure are therefore necessary to incorporate this consensus language.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that reimbursement for services provided through telehealth via an interactive telecommunications system shall be equivalent to reimbursement for the same services provided via face-to-face contact between a health care provider and a patient; provided that reimbursement for two-way, real-time audio-only communication technology for purposes of diagnosis, evaluation, or treatment of a mental health disorder to a patient in their home shall be equivalent to eighty per cent of the reimbursement for the same services provided via face-to-face contact between a health care provider and a patient; provided further that the health care provider has conducted an in-person or telehealth visit with the patient no longer than six months prior to the audio-only service and at least twelve months prior to any subsequent audio-only visit;
- (2) Clarifying that “interactive telecommunications system” has the same meaning as the term is defined in title 42 Code of Federal Regulations section 410.78(a), as amended; provided that, as used in the definition of “interactive telecommunications system”, “two-way, real-time audio-only communication” is subject to the same meaning and conditions as in title 42 Code of Federal Regulations section 410.78, as amended;
- (3) Clarifying that standard telephone contacts, facsimile transmissions, or e-mail text, in combination or alone, do not constitute telehealth services, except as otherwise provided in state law;
- (4) Amending section 453-1.3, the Hawaii Revised Statutes, to conform to the amendments made by this measure;
- (5) Amending section 1 to reflect its amended purpose;
- (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 members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 907, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 907, 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, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1298 Health and Human Services on H.B. No. 1245**

The purpose and intent of this measure is to appropriate funds to the Department of Health to purchase one advanced life support ambulance and related equipment to be based in central Maui and fund pay-related personnel costs for state-certified emergency medical services personnel.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Maui, one member of the Maui County Council, American Medical Response, Maui County Paramedics Association, Global Medical Response, Maui Hotel & Lodging Association, and four individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that despite the substantial population increase in central Maui, the area has only one ambulance unit 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. The advanced life support ambulance, equipment, and medical service personnel funded by this measure will help reduce death and disability among residents of and visitors to central Maui by facilitating timely responses to calls for emergency medical services.

Your Committee acknowledges the testimony of the Department of Health requesting a separate appropriation amount to establish a more robust and resilient air ambulance network system within the State, including procurement of a helicopter to transport patients between all islands of the State.

Accordingly, your Committee has amended this measure by:

- (1) Inserting a blank appropriation to the Department of Health to increase the predictability and stability of available air ambulance services for all islands in the State;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that although this measure contains unspecified appropriation amounts, should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider appropriating:

- (1) \$1,500,000 for the purchase of one advanced life support ambulance and related equipment to be based in the central Maui area, and to fund pay-related personnel costs for one state-certified emergency medical technician and one state-certified paramedic for fiscal year 2023-2024;
- (2) \$1,600,000 for the purchase of one advanced life support ambulance and related equipment to be based in the central Maui area, and to fund pay-related personnel costs for one state-certified emergency medical technician and one state-certified paramedic for fiscal year 2024-2025; and
- (3) \$10,000,000 to establish a more robust and resilient air ambulance network system within the State, including procurement of a helicopter to transport patients between all islands of the State.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1245, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1245, 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. 1299 Health and Human Services on H.B. No. 948**

The purpose and intent of this measure is to establish and appropriate funds for a two-year Child and Adolescent Crisis Mobile Outreach Team Pilot Program on Oahu and one neighbor island site to expand existing crisis response services.

Your Committee received testimony in support of this measure from the Department of Health, State Council on Mental Health, Hawaii Medical Association, Parents and Children Together, Hina Mauka, Opportunity Youth Action Hawai'i, Hawai'i Youth Services Network, and one individual.

Your Committee finds that crisis mobile outreach can be a vital resource for youth as they navigate significant challenges related to adolescence. In particular, crisis mobile outreach has the potential to positively impact youth on the neighbor islands, where resources for mental health are less robust. Crisis mobile outreach would reduce difficulties, costs, and time transporting neighbor island youth to Oahu for acute care and other high-level services. To help strengthen crisis response for youth in the State, this measure expands access to child and adolescent mobile crisis services.

Your Committee notes that the Department of Health estimates the cost of crisis mobile outreach to be \$1,340,000 for each island. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider inserting an appropriation amount of \$2,680,000; provided that \$1,340,000 shall be appropriated for crisis mobile outreach on Oahu and the remainder for crisis mobile outreach on a neighbor island.

Your Committee has amended this measure by:

- (1) Inserting an effective date of June 30, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 948, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 948, 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. 1300 Health and Human Services on H.B. No. 1296**

The purpose and intent of this measure is to establish and appropriate funds for an Early Intervention Services Working Group within the Department of Health to study and recommend ways to assist and support deaf and hard of hearing children.

Your Committee received testimony in support of this measure from the Department of Health, Department of Human Services, and Executive Office on Early Learning.

Your Committee finds that the Department of Health's Early Intervention Section provides services to children from birth up to three years old who have developmental delays or health conditions that place them at risk for developmental delays, including children who are deaf or hard of hearing. The Early Intervention Section also provides information and support to these children's parents and guardians to help their children's development, as early intervention strategies promote access to language and communication skills needed for learning in school. To ensure these children, parents, and guardians receive the services and information they need, this measure establishes a working group to help guide the Department of Health's practices for supporting deaf and hard of hearing children.

Your Committee also notes the concern raised in testimony that the working group established by this measure, as currently written, does not include any deaf or hard of hearing individuals or parents of deaf or hard of hearing children. Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Requiring that the Early Intervention Services Working Group include in its membership:
  - (A) A representative of the Department of Health's Early Intervention Section;
  - (B) The Director of the Executive Office on Early Learning, or the Director's designee; and
  - (C) A parent of a deaf or hard of hearing child under five years old who receives or has received early intervention 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1296, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1296, 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. 1301 (Majority) Government Operations on H.B. No. 964**

The purpose and intent of this measure is to:

- (1) Increase the fee for the issuance of an apostille or non-apostille certification to \$10;
- (2) Establish the Apostilles and Certifications Special Fund; and
- (3) Authorize the Office of the Lieutenant Governor to expend moneys in the fund for operational expenses.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor and Department of Health. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Lieutenant Governor provides approximately seven thousand five hundred authentication services for all public and general documents annually. Authenticated documents include powers of attorney, marriage or birth certificates, divorce decrees, probated and un-probated wills, and other documents. The current system used for authentication is archaic as the system is unable to accept web-based payment such as credit cards, requiring requestors to send \$1 in cash or cashier's check. Additionally, requestors who live outside of the United States are unable to provide a self-addressed stamped envelope with American postage, creating additional postage costs for the Office of the Lieutenant Governor. This measure updates the current document certification process to ensure the timely processing and delivery of documents for Hawaii's people.

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 H.B. No. 964, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 964, 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, 1 (Awa). Excused, 1 (Wakai).

**SCRep. 1302 (Joint) Housing and Public Safety and Intergovernmental and Military Affairs on H.B. No. 668**

The purpose and intent of this measure is to:

- (1) Condition the authority of a county whose population is greater than five hundred thousand to exercise state housing powers upon a county's continued compliance with provisions regarding acceptance of the dedication of infrastructure and public highways in affordable housing developments; and
- (2) Amend various provisions relating to the dedication of infrastructure to a county.

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 Taxation and Tax Foundation of Hawaii.

Your Committees find that while the City and County of Honolulu has collected real property tax revenues from the Villages of Kapolei for the past thirty years, it has yet to accept dedication of its infrastructure improvements, including roads, sidewalks, and other infrastructure. As a result, the State, through the Hawaii Housing Finance and Development Corporation (HHFDC), has been maintaining and improving these infrastructure improvements at an average cost of over \$1,000,000 per year. According to testimony received by your Committees, necessary road rehabilitation work in the Villages of Kapolei will soon increase these maintenance and improvement costs to about \$10,000,000 per year. Your Committees note that HHFDC has been paying for the infrastructure improvements with monies from the Dwelling Unit Revolving Fund and that the accepted dedication of these infrastructure improvements by the City and County of Honolulu would allow those funds to be used toward infrastructure of newly-constructed affordable housing statewide.

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 Housing and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 668, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 668, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

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

Public Safety and Intergovernmental and Military Affairs: Ayes, 4; Ayes with Reservations (Elefante, Fukunaga). Noes, none. Excused, 1 (McKelvey).

**SCRep. 1303 (Joint/Majority) Housing and Public Safety and Intergovernmental and Military Affairs on H.B. No. 1363**

The purpose and intent of this measure is to:

- (1) Extend the period within which a county may adopt a surcharge on state tax, under certain conditions, from March 31, 2019 to December 31, 2023;
- (2) Authorize the use of county surcharge revenues for housing infrastructure in counties having a population of five hundred thousand or less; and
- (3) Temporarily authorize counties that have previously adopted a surcharge on state tax to amend the uses of the surcharge.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Planning and Sustainable Development, Office of the Mayor of the County of Maui, two members of the Maui County Council, Planning Department of the County of Hawai'i, Maui Metropolitan Planning Organization, Hawai'i Community Foundation, Hawai'i Association of REALTORS, and Land Use Research Foundation of Hawaii. Your Committees received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committees find that the cost of off-site infrastructure is a major barrier to the development of affordable housing statewide. Accordingly, this measure offers another source of funding for counties to pay for housing infrastructure, thereby accelerating housing project delivery and reducing housing costs at the county level. Additionally, according to testimony received by your Committees, this measure will also help offset some of the burden on the Dwelling Unit Revolving Fund, which is currently being depleted by the State's historical infrastructure obligations in Waiahole Valley and in the Villages of Kapolei.

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 Housing and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1363, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1363, 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.

Housing: Ayes, 3; Ayes with Reservations (Rhoads). Noes, 1 (Awa). Excused, 1 (Aquino).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, 1 (Awa). Excused, 1 (McKelvey).

**SCRep. 1304 (Joint/Majority) Housing and Health and Human Services on H.B. No. 1397**

The purpose and intent of this measure is to:

- (1) Establish a Supportive Housing Pilot Program in the statewide Office on Homelessness and Housing Solutions to provide and maintain affordable housing opportunities and supportive services for certain individuals and families with special needs; and
- (2) Appropriate an unspecified amount of funds for the Supportive Housing Pilot Program, including the establishment of positions.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness; Judiciary; Department of Human Services; Hawaii Public Housing Authority; Hawaii State Council on Developmental Disabilities; Disability and Communication Access Board; Hawaii Housing Finance and Development Corporation; Hope Services Hawaii, Inc.; AARP Hawai'i; Hawaii Substance Abuse Coalition; Hawai'i Association of REALTORS; Catholic Charities Hawai'i; Habitat for Humanity Hawaii Island, Inc.; AlohaCare; Fuller Lives; Kaiser Permanente Hawai'i; Partners in Care; and seven individuals. Your Committees received comments on this measure from the Department of Public Safety and State Procurement Office.

Your Committees find that people with disabilities are twice as likely to live below poverty level. Without action to address the affordable housing shortage, more people with disabilities are at risk of becoming homeless or institutionalized. Supportive housing is an innovative solution to house special needs populations, which includes the chronically homeless individuals with disabilities, those transitioning from incarceration, and those suffering from substance abuse, and has been shown to decrease homelessness, reduce burdens and costs on public systems, and decrease crime rates. This measure would establish a pilot program to develop and provide supportive housing and services to vulnerable populations to help individuals stay housed and live more productive lives in their communities.

Your Committees received testimony at the public hearing on this measure that it is challenging to determine the results of supportive housing initiatives within the timeframe required by this measure as currently drafted. Your Committees further find that exempting the Hawaii Public Housing Authority and the Statewide Office on Homelessness and Housing Solutions from the State Procurement Code in selecting qualifying nonprofit organizations to administer components of the pilot program serves a compelling public purpose and will assist in efficiently demonstrating to the Legislature the results of the pilot program. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have capped project-based rent supplement payments at \$500 per month to grant the Hawaii Public Housing Authority more flexibility regarding the project-based rent supplement payments;
- (2) Including employment services as a supportive services to be provided to residents participating in the pilot program;
- (3) Clarifying that supportive services funding shall be not more than \$800 per unit per month;
- (4) Exempting the statewide Office on Homelessness and Housing Solutions from chapter 103F, Hawaii Revised Statutes, in selecting a qualified nonprofit organization to administer supportive services payments under the pilot program;
- (5) Extending the deadlines for the joint interim report and joint final report to the Legislature of the findings and recommendations relating to the Supportive Housing Pilot Program by one year;
- (6) Inserting appropriation amounts of:
  - (A) \$50,000,000 for supportive housing projects or supportive housing units in rental projects targeted for certain special needs individuals and families and for the establishment of one full-time equivalent Permanent Housing Finance Specialist I position;
  - (B) \$14,000,000 for contracts with new supportive housing rental projects or supportive housing rental units in rental projects for project-based rent supplement payments for the Pilot Program and for the establishment of full-time equivalent Permanent Housing Public Housing Specialist position;
  - (C) \$10,500,000 for the provision of support services for qualified individuals and families in new supportive housing projects and the establishment of one full-time equivalent permanent position; and
  - (D) \$500,000 for the development of a supportive housing information system;
- (7) Updating section 1 to reflect its amended purpose and further specifying the compelling and public purposes for granting certain exemptions from the State Procurement Code;
- (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 Housing and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1397, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1397, 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, 1 (Awa). Excused, none.

Health and Human Services: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1305 Hawaiian Affairs on H.B. No. 133**

The purpose and intent of this measure is to appropriate moneys to fund the operating expenses of the Office of Hawaiian Affairs for the fiscal biennium beginning on July 1, 2023, and ending on June 30, 2025.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs.

Your Committee finds that the Office of Hawaiian Affairs is a semi-autonomous state agency established by the Hawaii State Constitution that is responsible for the betterment of conditions of native Hawaiians and Hawaiians. This measure appropriates funds for the Office of Hawaiian Affairs' operating budget in support of its plans for the upcoming biennium and is vital to fulfilling the mandates of the Office.

Your Committee has amended this measure by:

- (1) Inserting a blank dollar amount for all appropriations of general funds and trust funds; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that although the appropriations are blank, the Office of Hawaiian Affairs' testimony requests an appropriation of the following sums:

- (1) \$500,000 in general funds and \$500,000 in trust funds for fiscal year 2023-2024 and the same sum for fiscal year 2024-2025 for Office of Hawaiian Affairs beneficiaries for occupancy-ready housing needs;
- (2) \$415,000 in general funds and \$415,000 in trust funds for fiscal year 2023-2024 and the same sum for fiscal year 2024-2025 for social services, including referral services and case management, to at-risk Office of Hawaiian Affairs beneficiaries to immediately address unexpected crises;
- (3) \$615,000 in general funds and \$615,000 in trust funds for fiscal year 2023-2024 and the same sum for fiscal year 2024-2025 for educational improvement programs for Native Hawaiian students;
- (4) \$600,000 in general funds and \$600,000 in trust funds for fiscal year 2023-2024 and the same sum for fiscal year 2024-2025 for legal services and legal representation to Office of Hawaiian Affairs beneficiaries;
- (5) \$500,000 in general funds and \$500,000 in trust funds for fiscal year 2023-2024 and the same sum for fiscal year 2024-2025 for protections of 'āina (land and water), including climate change adaptation, mitigation, and resiliency strategies and practices; and
- (6) \$370,000 in general funds and \$370,000 in trust funds for fiscal year 2023-2024 and the same sum for fiscal year 2024-2025 for 'ohana (families and communities) economic stability.

Your Committee's intent in recommending this measure for passage is for the adjustments requested to be incorporated into the General Appropriations Act of 2023, or other appropriate legislative vehicle or to be adopted separately. As such, your Committee requests that your Committee on Ways and Means strongly consider incorporating the adjustments expressed by this measure to include any provisions necessary to effectuate its purpose and intent.

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. 133, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 133, 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. 1306 (Joint) Higher Education and Agriculture and Environment on H.B. No. 313**

The purpose and intent of this measure is to appropriate funds to establish the Foreign Agriculture Small Equipment Pilot Program at a University of Hawaii community college to identify and purchase foreign agricultural technology and retrofit engines to comply with the United States Environmental Protection Agency's emission standards for small engines.

Your Committees received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System; Land Use Research Foundation of Hawaii; Hawai'i Farm Bureau; Ulupono Initiative; Maui County Farm Bureau; Hawaii Cattlemen's Council, Inc.; Hawaii Crop Improvement Association; and nine individuals.

Your Committees find that mechanization is a major impediment to the expansion of farming in the State, since much of crop production depends upon manual labor. According to testimony received by your Committees, sixty-six percent of the State's 7,328 farms are between one to nine acres, and seventy-eight percent of farms statewide produce less than \$25,000 in sales. Mechanized equipment from foreign jurisdictions, specifically designed for small-scale farms, has been proven to increase productivity over time but, due to importation prohibitions, is inaccessible to local farmers. To help small-scale farms increase the amount of food they produce, this measure establishes a pilot program that will increase access to appropriately-sized mechanized farming equipment for small-scale farms in the State.

Your Committees note that the University of Hawaii is not the most appropriate entity to administer the Foreign Agriculture Small Equipment Pilot Program proposed by this measure. While the University of Hawaii Community Colleges would provide critical workforce development to support the Pilot Program, another entity is needed to coordinate the various departments and institutions involved in the Pilot Project. Further, although the University of Hawaii College of Tropical Agriculture and Human Resources' Cooperative Extension works directly with state farmers to identify their needs and conduct crop technology trials, the purview of the Pilot Program aligns more closely with that of the Department of Agriculture. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language that requires the Department of Agriculture, in collaboration with the University of Hawaii, to administer the Foreign Agriculture Small Equipment Pilot Program;
- (2) Specifying that the Department of Agriculture, rather than the University of Hawaii, shall expend the appropriated funds;
- (3) Requiring the Department of Agriculture, rather than the University of Hawaii, to submit a report to the Legislature;
- (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 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. 313, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 313, 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 (Keith-Agaran).  
 Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1307 (Joint/Majority) Water and Land and Government Operations on H.B. No. 676**

The purpose and intent of this measure is to authorize the appropriate county land use decision-making authority to determine district boundary amendments involving certain land areas greater than fifteen acres if the county has adopted an ordinance that meets certain requirements.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Housing and Community Development of the County of Hawai'i, Hawai'i Association of REALTORS, Building Industry Association of Hawaii, and Maui Chamber of Commerce. Your Committees received testimony in opposition to this measure from the Office of Hawaiian Affairs, Life of the Land, Hawai'i Farm Bureau, Kihei Community Association, The Friends of Makakilo, Hawai'i's Thousand Friends, Ka Makani O Kohala Ohana, Hawaii Reef and Ocean Coalition, Climate Protectors Hawaii, and six individuals. Your Committees received comments on this measure from the Land Use Commission, Department of Agriculture, Sierra Club of Hawai'i, and Grassroot Institute of Hawaii.

Your Committees find that the lack of affordable housing in the State requires innovative solutions to incentivize development. Your Committees further find that currently, the Land Use Commission has the sole authority over district boundary amendments involving lands greater than fifteen acres, which at times can create a bottleneck. Your Committees believe that by granting the counties instead with such authority, in certain circumstances, affordable housing projects can be expedited, thereby lowering developer costs and ultimately increasing the general availability of affordable housing units throughout the State. Therefore, this measure amends the law relating to district boundary amendments to help counties accelerate the development of affordable housing.

Your Committees have amended this measure by:

- (1) Adding that the ordinance adopted by a county shall require that at least seventy-five percent of the housing units on the land be set aside for persons and families with incomes at or below one hundred percent of the area median income; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Lastly, your Committees expressed concerns that although this measure appropriately gives additional authority and flexibility to the counties to make certain district boundary amendments to lands greater than fifteen acres, this measure does not provide any cap or limiting authority that would, upon reaching a certain acreage size, return the authority back to the Land Use Commission. Your Committees note that the measure, S.B. No. 469, S.D. 1 (Regular Session 2023), a substantially similar measure that was passed by your Committee on Water and Land, included a cap on county authority by limiting the counties' jurisdiction to amendments involving fifteen to fifty acres of land. Should your Committee on Judiciary choose to deliberate on this measure, your Committees respectfully request that it considers further examining establishing a cap or limit on the counties' district boundary amendment authority.

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. 676, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 676, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.  
 Water and Land: Ayes, 4; Ayes with Reservations (Elefante). Noes, 1 (Fevella). Excused, none.  
 Government Operations: Ayes, 2. Noes, 1 (Awa). Excused, 2 (Gabbard, San Buenaventura).

**SCRep. 1308 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on H.B. No. 1511**

The purpose and intent of this measure is to appropriate funds as a grant-in-aid to the Honolulu Board of Water Supply to plan, design, and construct seven monitoring wells and an exploratory well.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Honolulu Board of Water Supply, Ulupono Initiative, Environmental Caucus of the Democratic Party of Hawai'i, and Sierra Club of Hawai'i. Your Committees received comments on this measure from one individual.

Your Committees find that the 2021 Red Hill Bulk Fuel Storage Facility fuel leak caused an unprecedented contamination of Oahu's drinking water supply, which affected nearly 100,000 residents. However, your Committees also find that this disastrous and catastrophic leak was just one such incident in a long history of repeated fuel leaks and chemical spills in the Red Hill area caused by the United States Department of Defense. Your Committees further find that despite this history of fuel leaks, the United States Department of Defense has not established an adequate monitoring well network capable of identifying whether leaked fuel has migrated to other critical water sources, such as the water wells in Aiea and Halawa. Your Committees believe that the federal government has thus far neglected its responsibility and that the State must now step in and fulfill its obligation to protect the public. Therefore, this measure appropriates funds to the Honolulu Board of Water Supply to increase its ability to detect water supply contamination and monitor the condition of Oahu's groundwater aquifer, independently of the United States Department of Defense, and to evaluate the impacts on Oahu's precious and finite water supply.

Your Committees have amended this measure by:

- (1) Requiring the Honolulu Board of Water Supply to consult with the Department of Health and the Commission on Water Resource Management prior to siting and installing the proposed monitoring wells;
- (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 Water and Land and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1511, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1511, 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 (Chang).

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1309 Health and Human Services on H.B. No. 883**

The purpose and intent of this measure is to appropriate an unspecified amount of funds to the Department of Health to operate mobile clinics staffed with medical professionals, including behavioral therapists trained in cognitive-behavioral and contingency management interventions, to provide medication-assisted treatment throughout the State.

Your Committee received testimony in support of this measure from the Department of Health and Hawaii Substance Abuse Coalition.

Your Committee finds that according to the National Survey on Drug Use and Health for 2016-2018, there are over twenty-three thousand individuals in the State aged eighteen and older who need, but are not receiving, treatment for illicit drug use. Your Committee further finds that mobile clinics, with the flexibility to travel to various areas in the State, play a key role in serving individuals residing in areas that lack access to health care. This measure addresses the disparity in health care by enabling the Department of Health to provide health care, including treatment for mental health, to those individuals.

Your Committee notes that although this measure contains an unspecified appropriation amount, should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers appropriating \$1,500,000 to fund the operation of the mobile clinics.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 883, 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. 1310 Health and Human Services on H.B. No. 1486**

The purpose and intent of this measure is to appropriate funds to the Department of Health for the Kupuna Care Program within the Executive Office on Aging.

Your Committee received testimony in support of this measure from the Executive Office on Aging, Disability and Communication Access Board, Catholic Charities Hawai'i, Alzheimer's Association – Hawaii, Rainbow Family 808, Hawai'i Family Caregiver Coalition, and more than three hundred individuals.

Your Committee finds that the Kupuna Care Program assists older adults and their caregivers with much needed home- and community-based services to kupuna aged sixty years and older, who have two or more deficits in Activities of Daily Living or Instrumental Activities of Daily Living. The program provides various services to the State's kupuna, including personal care, attendant care, chore, homemaker, case management, home-delivered meals, adult day care, transportation, and respite care, as well as support services for caregivers. Your Committee finds that in 2021, the base budget for the Kupuna Care Program was reduced by approximately \$1,800,000. This measure aims to restore funding for the program to pre-pandemic levels, thereby allowing the Executive Office on Aging to provide kupuna and their caregivers with the much needed care services.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1486, 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. 1311 Health and Human Services on H.B. No. 222**

The purpose and intent of this measure is to:

- (1) Adjust the method by which the Department of Human Services calculates Medicaid payments to providers of medical care and long-term supports and services; and
- (2) Appropriate an unspecified amount of funds to cover any costs that may arise while the Department of Human Services establishes new Medicaid payment rates for long-term supports and services.

Your Committee received testimony in support of this measure from the Adult Foster Homecare Association of Hawai'i, United Caregivers of Hawaii, Community Homecare Association of Hawai'i, Alliance of Professional Primary Care Administrators, Providers Helping Hands of Hawaii, AARP Hawai'i, and twenty-four individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that home- and community-based care homes that provide Medicaid beneficiaries with opportunities to receive services in their own home or community rather than institutions or other isolated settings are a vital part of the State's long-term health care continuum. Your Committee also finds that the effects of the coronavirus disease 2019 pandemic caused a forty percent increase in Medicaid enrollment in the State, and nearly one-third of the State's residents are now enrolled in Medicaid.

Despite the increase in costs incurred by home- and community-based care homes in providing their services, the Medicaid reimbursement rates for these facilities have not been updated for over fourteen years, and a study commissioned by the Department of Human Services on rates paid to home- and community-based services showed significant wage pressure given the current labor market. This measure ensures that these long-term supports and services providers are fairly and fully funded.

Your Committee notes that this measure contains an unspecified appropriation amount for fiscal year 2023-2024 to fund any costs that may arise while the Department of Human Services establishes payment rates for long-term supports and services. Your Committee also acknowledges the testimony of the Department of Human Services setting forth the possible fiscal impacts of payment rate increases for three different types of home- and community-based services (residential services, in-home services, and case management services) under three (low, medium, and high) rate increase scenarios as listed in the table below, which can be chosen independently of each other. Your Committee further acknowledges that for the rate increases to continue beyond fiscal year 2023-2024, the appropriation must be added to the Department’s base budget in the executive budget bill.

Scenarios	Low		Medium		High	
	Estimated Payment Change	Estimated General Fund	Estimated Payment Change	Estimated General Fund	Estimated Payment Change	Estimated General Fund
Residential Services	\$13.50	\$5.59M	\$27.90	\$11.56M	\$30.10M	\$12.47M
In-Home Services	\$23.80	\$9.86M	\$34.70	\$14.38M	\$40.40M	\$16.74M
Case Management Services	\$0.50	\$0.21M	\$1.30	\$0.54M	\$2.30M	\$0.95M
Total Rate Study Services	\$37.90	\$15.71M	\$64.00	\$26.52M	\$72.90M	\$30.21M

Accordingly, should your Committee on Ways and Means choose to deliberate on this measure and determine that the appropriation includes payment rate increases that have been recommended by the Department of Human Services based on reviews that have already been completed, your Committee respectfully requests that it appropriate funds at the low-rate increase scenario level of \$9,860,000, due to other measures currently moving through the legislative process that minimally increase the payment rates.

Your Committee has amended this measure by:

- (1) Inserting an effective date of June 30, 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 222, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 222, 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. 1312 Health and Human Services on H.B. No. 652**

The purpose and intent of this measure is to establish and appropriate funds for a Caregiver Workforce Support and Development Center within the Department of Health’s Executive Office on Aging.

Your Committee received testimony in support of this measure from AARP Hawai’i, Gimme a Break, Healthcare Association of Hawaii, Hawai’i Family Caregiver Coalition, and nine individuals. Your Committee received comments on this measure from the Executive Office on Aging.

Your Committee finds that the State is experiencing a severe health care workforce shortage, particularly within long-term care settings. While various efforts exist to increase the number of professionally trained health care personnel in the State, little attention has been given to existing non-professional caregivers and the essential role they play in meeting the caregiving demands of their family members or friends. In recognition of the vital care caregivers provide, this measure establishes the Caregiver Workforce Support and Development Center to develop, educate, and train caregivers, including existing and unpaid caregivers.

Your Committee notes the testimony submitted by the Executive Office on Aging requesting \$100,000 for fiscal year 2023-2024 and \$400,000 for fiscal year 2024-2025 for the establishment of the Workforce Development and Support Center. The funds appropriated for fiscal year 2023-2024 would facilitate the development of professional standards of care and the identification of resources and gaps in the system for paraprofessional workers and family caregivers. The funds appropriated for fiscal year 2024-2025 would facilitate the implementation of a statewide recruitment and retention marketing campaign. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider an appropriation amount of \$100,000 for fiscal year 2023-2024 and \$400,000 for fiscal year 2024-2025.

Your Committee has amended this measure by:

- (1) Clarifying that the Executive Office on Aging shall establish a Workforce Development and Support Center, rather than a Caregiver Workforce Support and Development Center;
- (2) Requiring the Workforce Development and Support Center to develop a Workforce Pilot Project, support caregivers through education and training, and develop an active aging strategy related to kupuna and kupuna caregiver health;

- (3) Specifying that the purpose of the Workforce Pilot Project is to identify existing resources and gaps in the system for paraprofessional workers and family caregivers, develop a statewide recruitment and retention campaign to attract residents to the health care workforce, and develop certain standards for the nonclinical direct care workforce that provides long-term care;
- (4) Specifying that the education and training provided by the Workforce Development and Support Center to support caregivers includes active aging programs and resources, programs for informal caregivers, and professional development courses for existing employers and employees;
- (5) Requiring the Workforce Pilot Project to terminate on June 30, 2026;
- (6) Amending section 1 to reflect its amended purpose;
- (7) Inserting an effective date of June 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 652, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 652, 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. 1313 Health and Human Services on H.B. No. 982**

The purpose and intent of this measure is to stabilize and increase funding for the Tobacco Enforcement Unit within the Department of the Attorney General by:

- (1) Amending the amount of funds that the Tobacco Enforcement Special Fund can carry over at the end of the fiscal year;
- (2) Increasing the cigarette tax stamp fee and concurrently increasing the percentage of the cigarette tax stamp fee deposited to the Tobacco Enforcement Special Fund; and
- (3) Amending the amount of funds to be deposited in the Tobacco Enforcement Special Fund from the Hawaii Tobacco Settlement Special Fund.

Your Committee received testimony in support of this measure from the Department of Taxation, Department of Health, Department of the Attorney General, American Cancer Society Cancer Action Network, Hawai'i Primary Care Association, and Hawai'i Public Health Institute. Your Committee received testimony in opposition to this measure from nine individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the Tobacco Enforcement Special Fund supports efforts of the Tobacco Enforcement Unit of the Department of the Attorney General to administer, monitor, and enforce the Tobacco Master Settlement Agreement and related state laws, including Chapters 486P and 675, Hawaii Revised Statutes. Your Committee also finds that, pursuant to section 245-26(a)(2), Hawaii Revised Statutes, the Tobacco Enforcement Special Fund is partially funded by the cigarette tax stamp fee. However, the amounts of the cigarette tax stamp revenues deposited into the Tobacco Enforcement Special Fund have noticeably dropped in recent years. Your Committee further finds that, to maintain the Tobacco Enforcement Unit's diligent enforcement efforts and to minimize the risk of losing the Master Settlement Agreement annual payments as a result of future arbitrations, it is critical that the unit receive adequate and continuous funding.

Your Committee acknowledges that this measure, as originally drafted, increased the amount of funds that the Tobacco Enforcement Special Fund can carry over at the end of the fiscal year from \$500,000 to \$750,000 and the amount of funds to be deposited in the Tobacco Enforcement Special Fund from the Hawaii Tobacco Settlement Special Fund from \$350,000 to \$750,000. Your Committee further notes the request of the Department of the Attorney General that these amounts be reinserted into this measure.

Accordingly, your Committee has amended this measure by:

- (1) Reinserting \$750,000 as the amount of unencumbered and unexpended moneys in the Tobacco Enforcement Special Fund that can be carried over at the end of the fiscal year without lapsing to the credit of the general fund;
- (2) Reinserting \$750,000 as the amount of the tobacco settlement moneys received by the State each fiscal year that shall be deposited to the credit of the Tobacco Enforcement Special Fund;
- (3) Inserting an effective date of 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 982, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 982, 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. 1314 (Majority) Health and Human Services on H.B. No. 1073**

The purpose and intent of this measure is to:

- (1) Amend the marriage license fee and compensation for a marriage license agent per license;

- (2) Authorize deposits of marriage license fees into the Vital Statistics Improvement Special Fund; and
- (3) Adjust the distribution of the marriage license fee among various domestic violence prevention special funds.

Your Committee received testimony in support of this measure from the Department of Health, Domestic Violence Action Center, and one individual.

Your Committee finds that there are approximately twenty thousand marriage licenses issued every year by the Department of Health's Office of Health Status Monitoring at a fee of \$60 per license. The \$60 fee is currently disbursed to the general fund, Spouse and Child Abuse Special Fund administered by the Department of Human Services, Spouse and Child Abuse Special Account administered by the Judiciary, and Birth Defects Special Fund administered by the Department of Health. Private marriage license agents appointed by the Department of Health also receive \$9 per license issued, as benefit and compensation. Your Committee further finds that despite performing all the work necessary to issue marriage licenses, the Office of Health Status Monitoring does not receive any portion of the collected fees. Furthermore, compensation for the private agents have not been increased for more than twenty-five years. This measure therefore increases the marriage license fee to allow for modernization, quality improvement, and customer satisfaction activities within the Office of Health Status Monitoring.

Your Committee notes that this measure, as currently drafted, does not specify the amended marriage license fee, compensation for the marriage license agent, and distribution amounts to the various funds and accounts. Your Committee further notes that the companion to this measure, S.B. No. 1371, S.D. 1 (2023), which was previously deliberated and recommended for passage by your Committee, specifies all of these amounts. It is therefore necessary to amend this measure to incorporate the amounts set forth in S.B. No. 1371, S.D. 1.

Accordingly, your Committee has amended this measure by:

- (1) Inserting the amount of \$100 for the marriage license fee to be collected by a marriage license agent per license;
- (2) Inserting the following amounts; provided that the marriage license agent is not a civil service employee:
  - (A) \$15 as the portion of the collected marriage license fee to be retained by the marriage license agent for the agent's benefit and compensation;
  - (B) \$85 as the portion of the collected marriage license fee to be remitted to the Director of Health;
  - (C) \$35 as the portion of the remitted fees that the Director of Health shall deposit to the credit of the general fund of the State;
  - (D) \$5 as the portion of the remitted fees that the Director of Health shall deposit to the credit of the Spouse and Child Abuse Special Fund;
  - (E) \$5 as the portion of the remitted fees that the Director of Health shall deposit to the credit of the Spouse and Child Abuse Special Account;
  - (F) \$20 as the portion of the remitted fees that the Director of Health shall deposit to the credit of the Birth Defects Special Fund; and
  - (G) language that requires the Director of Health to deposit \$20 of the remitted fees to the Vital Statistics Improvement Special Fund;
- (3) Inserting the following amounts; provided that the marriage license agent is a civil service employee:
  - (A) \$44 as the portion of the remitted fees that the Director of Health shall deposit to the credit of the Spouse and Child Abuse Special Fund;
  - (B) \$5 as the portion of the remitted fees that the Director of Health shall deposit to the credit of the Spouse and Child Abuse Special Fund;
  - (C) \$5 as the portion of the remitted fees that the Director of Health shall deposit to the credit of the Spouse and Child Abuse Special Account;
  - (D) \$20 as the portion of the remitted fees that the Director of Health shall deposit to the credit of the Birth Defects Special Fund; and
  - (E) Language that requires the Director of Health to deposit \$26 of the remitted fees to the Vital Statistics Improvement Special Fund;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1073, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1073, H.D. 1, 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, 1 (Awa). Excused, none.

**SCRep. 1315 Health and Human Services on H.B. No. 1366**

The purpose and intent of this measure is to:

- (1) Require the Department of Human Services to establish a three-year Return-to-Home Pilot Program to return homeless individuals in the State to families and relatives in their home states; and
- (2) Appropriate an unspecified amount of funds for the implementation of the Return-to-Home Pilot Program.

Your Committee received testimony in support of this measure from the Institute for Human Services, Inc.; Hawai'i Lodging & Tourism Association; and five individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that homelessness continues to be one of the State's most significant and challenging social problems. Your Committee further finds that many homeless individuals from the continental United States are currently stranded in the State, wanting to return to their families and relatives in their home states but lacking the financial resources to do so. This measure will assist such homeless individuals in returning to their home states.

Your Committee acknowledges that this measure, as currently written, includes a provision that requires Pilot Program participants or their family or relatives in their home state to bear one-half of the transportation costs for the participants' return to their home states, except in cases where the participant is indigent and lacks financial resources. Your Committee finds that this provision is unenforceable and unnecessary because the Pilot Program's underlying eligibility criteria requires that the participant be indigent and lack financial resources. Your Committee also acknowledges the testimony of the Department of Human Services stating that it will need one full-time equivalent planner position to draft rules, procure services, and oversee the Pilot Program. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required participants of the Pilot Program or the participant's family or relatives in the participant's home state to be responsible for one-half of the cost of any transportation used to return the participant to the participant's home state; and
- (2) Inserting language that appropriates an unspecified amount of funds to establish one full-time equivalent (1.0 FTE) planner position within the Department of Human Resources to draft rules, procure services, and oversee the Pilot Program.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider appropriating \$90,000 to establish the one full-time equivalent (1.0 FTE) planner position for the Department of Human Services.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1366, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1366, 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. 1316 Health and Human Services on H.B. No. 834**

The purpose and intent of this measure is to recognize American Sign Language as a fully developed, autonomous, natural language with its own grammar, syntax, vocabulary, and cultural heritage.

Your Committee received testimony in support of this measure from the Department of Human Services, Disability and Communication Access Board, Hawai'i Civil Rights Commission, Hawaii Disability Rights Center, Aloha State Association of the Deaf, and thirteen individuals.

Your Committee finds that American Sign Language (ASL) is not a mere translation of spoken English, but a complex visual-spatial language that is closely tied to the nation's culture and identity and has served as the backbone of the United States' deaf and hard-of-hearing population, including the people of Hawaii. Your Committee further finds that statutory recognition of ASL as a distinct language allows increased equitable access in numerous areas, including employment, public awareness, and civic participation. In this regard, over forty states recognize ASL in varying degrees, with at least a dozen states enacting laws to acknowledge ASL as its own distinct language. This measure, by codifying the recognition of ASL as a distinct language, advances and promotes the public's understanding and acknowledgment of ASL as a fully developed, autonomous, natural language with its own distinct grammar, syntax, vocabulary, and cultural heritage.

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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 834, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 834, 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. 1317 Energy, Economic Development, and Tourism on H.B. No. 193**

The purpose and intent of this measure is to extend and further develop the energy-efficiency portfolio standards established and overseen by the Public Utilities Commission.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Public Utilities Commission; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; Ulupono Initiative; Blue Planet Foundation; Climate Protectors Hawai'i; Hawaii Solar Energy Association; and two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy and Hawai'i Energy.

Your Committee finds that Act 155, Session Laws of Hawaii 2009 (Act 155), codified the Hawaii Clean Energy Initiative's goals for energy efficiency under section 269-96, Hawaii Revised Statutes. Act 155 set the statewide energy efficiency goal for 2030 at four thousand three hundred gigawatt hours and directed the Public Utilities Commission to establish interim goals for 2015, 2020, and 2025. Your Committee believes that now, nearly fifteen years later, it is appropriate to extend these goals so that the Public Utilities Commission can continue its efforts to develop and oversee the State's energy-efficiency portfolio standards beyond 2030. This measure will ensure the continued impact of energy efficiency programming benefits and align the State's renewable energy portfolio standard target date with the State's target dates for its renewable energy and carbon negative goals.

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. 193, 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, 5. Noes, none. Excused, none.

**SCRep. 1318 (Joint) Energy, Economic Development, and Tourism and Public Safety and Intergovernmental and Military Affairs on H.B. No. 419**

The purpose and intent of this measure is to require the counties to exempt from county permitting requirements the installation of off-grid residential photovoltaic energy generating systems on the rooftops of residential properties, under certain circumstances.

Your Committees received testimony in support of this measure from three individuals. Your Committees received comments on this measure from the Department of Planning and Permitting of the City and County of Honolulu.

Your Committees find that the State has set the target of one hundred percent renewable energy by 2045. Your Committees believe that taking advantage of available rooftop space on residential properties will be critical to achieve this goal. This measure will strengthen energy security, self-sufficiency, and diversification in the State by allowing for greater adoption of renewable energy technology and infrastructure.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 419, H.D. 1, and recommend that it pass Second Reading 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, 4; Ayes with Reservations (Fukunaga). Noes, none. Excused, 1 (Fevella).

Public Safety and Intergovernmental and Military Affairs: Ayes, 5; Ayes with Reservations (Elefante, Fukunaga). Noes, none. Excused, none.

**SCRep. 1319 (Joint/Majority) Energy, Economic Development, and Tourism and Public Safety and Intergovernmental and Military Affairs on H.B. No. 654**

The purpose and intent of this measure is to create a building benchmarking program that uses the ENERGY STAR Portfolio Manager to encourage state buildings to become more environmentally sustainable, particularly with respect to greenhouse gas emissions and energy and water consumption.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Honolulu Board of Water Supply, Climate Protectors Hawai'i, Ulupono Initiative, Blue Planet Foundation, Hawai'i Energy, Hawaii Environmental Change Agents' Decarbonization of Buildings Task Force, Building Owners and Managers Association of Hawai'i, and four individuals. Your Committees received comments on this measure from the Department of Accounting and General Services and Hawaiian Electric.

Your Committees find that building benchmarking requires the measuring and reporting of a building's energy and water usage trends using the United State's Environmental Protection Agency's ENERGY STAR Portfolio Manager measurement and tracking tool as a conservation metric to incentivize reduction. Your Committees believe that by establishing a building benchmarking program, building owners will have better information to assess and reduce their water and energy usage on an annual basis. This measure will reduce utility bills, preserve natural resources, and help the State meet its sustainability goals.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 654, 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.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1320 (Joint) Energy, Economic Development, and Tourism and Public Safety and Intergovernmental and Military Affairs on H.B. No. 1375**

The purpose and intent of this measure is to:

- (1) Establish the powers, duties, and responsibilities of the Destination Management Agency, including its director and commission;
- (2) Establish the Tourism Special Fund and County Assistance Special Fund, to receive allocations from transient accommodations tax revenue; and
- (3) Repeal the Hawaii Tourism Authority.

Your Committees received testimony in opposition to this measure from Fair Wind Cruises. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Taxation; Hawai'i Tourism Authority; Tax Foundation of Hawaii; Maui Hotel and Lodging Association; and Kohala Coast Resort Association.

Your Committees find that due to mismanagement by the Hawaii Tourism Authority, the award of a \$34,000,000 contract for the marketing of Hawaii as a tourism destination to the United States major market area has been in limbo since 2021. This situation has been widely publicized and has negatively affected public perception of the Authority while demonstrating the Authority's noncompliance with the State Procurement Code. Your Committees further find that the Department of Business, Economic Development, and Tourism managed the tourism marketing contracts for the State prior to the establishment of the Hawaii Tourism Authority. This measure will address these public concerns and re-establish public confidence in the State management of tourism.

Your Committees note that S.B. No. 1522, S.D. 2 (Regular Session of 2023), which was previously passed by the Senate, is a substantially similar measure that establishes an Office of Tourism and Destination Management within the Department of Business, Economic Development, and Tourism and repeals the Hawaii Tourism Authority. Your Committees find that the language in S.B. No. 1522, S.D. 2, is preferable because it appropriates funds to establish the Office of Tourism and Destination Management to effectuate the transfer from the Hawaii Tourism Authority, with a focus on destination management headed by a board of directors that consists of nine members.

Your Committees also note that this measure, as amended herein, contains an appropriation amount of \$50,000,000 for the establishment, administration, and operation of the Office of Tourism and Destination Management. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider appropriating \$75,000,000 for the establishment, administration, and operation of the Office of Tourism and Destination Management, with designated earmarks.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 1522, S.D. 2, a substantially similar measure, which:
  - (A) Establishes an Office of Tourism and Destination Management within the Department of Business, Economic Development, and Tourism;
  - (B) Transfers the functions, duties, appropriations, and positions of the Hawaii Tourism Authority to the Office of Tourism and Destination Management;
  - (C) Requires the Office of Tourism and Destination Management to implement certain county destination management action plans;
  - (D) Dissolves the Hawaii Tourism Authority; and
  - (E) Appropriates funds; 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 Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1375, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1375, 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.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5; Ayes with Reservations (Elefante). Noes, none. Excused, none.

**SCRep. 1321 (Joint) Energy, Economic Development, and Tourism and Commerce and Consumer Protection on H.B. No. 949**

The purpose and intent of this measure is to:

- (1) Establish and appropriate funds for a solar energy storage system loan program to provide asset limited, income constrained, employed households with low-interest loans to purchase and install solar energy storage systems; and
- (2) Establish and appropriate funds for a renewable energy system installation loan program to provide asset limited, income constrained, employed households with low-interest loans to purchase and install residential photovoltaic and energy storage systems, including battery storage systems.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; Hawaii State Energy Office; Department of Commerce and Consumer Affairs'

Division of Consumer Advocacy; Hawaii Solar Energy Association; Hawaii Environmental Change Agents; Hawaiian Electric; 350Hawaii; Climate Protectors Hawai'i; Ulupono Initiative; Elemental Excelerator; Sunrun, Inc.; Chamber of Sustainable Commerce; Blue Planet Foundation; and thirteen individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that forty-four percent of the State's families are classified as asset limited, income constrained, employed, also known as ALICE families, and are facing financial burdens due to rising inflation and unprecedented spikes in electricity costs. Your Committees believe that additional loan capital for photovoltaic and energy storage systems is necessary to help underserved ratepayers reduce their growing financial energy burdens while helping the State achieve its goal of a one hundred percent renewable portfolio standard in energy production by 2045. This measure will support struggling families, facilitate an equitable transition to renewable energy, and enhance the resiliency and stability of electrical grids.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism 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. 949, 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.

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Kim, Fevella).

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1322 (Joint) Labor and Technology and Health and Human Services on H.B. No. 1409**

The purpose and intent of this measure is to:

- (1) Extend the family leave period from four weeks to eight weeks for employees who are unable to perform their employment duties because the employee has given birth to a child who is required to stay in a neonatal intensive care unit; provided that during the additional period of family leave, the employee:
  - (A) Provides kangaroo care to the child; or
  - (B) Expresses breast milk for the child; and
- (2) Require the Department of Health to amend its administrative rules to ensure that neonatal care is included as a related medical condition on par with pregnancy, childbirth, or related medical conditions.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations and two individuals.

Your Committees find that in 2020, one in ten babies born in the State were born preterm or before thirty-seven completed weeks of gestation. These babies need extended time in neonatal intensive care units (NICU), which requires their parents to also spend additional time at the NICU to support the babies' care. This measure seeks to prioritize the health of preterm babies and to maintain the employment status of parents of a preterm baby by extending the family leave period of these employees by an additional time period equivalent to the duration of their baby's stay at the NICU for up to eight weeks.

Your Committees have amended this measure by inserting an effective date of June 30, 2032, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Labor and Technology and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1409, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1409, 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.

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Ihara, Keith-Agaran).

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1323 (Joint) Labor and Technology and Health and Human Services on H.B. No. 339**

The purpose and intent of this measure is to permanently exempt nine certain positions within the Department of Human Services from civil service.

Your Committees received testimony in support of this measure from the Department of Human Services, Hawaii Children's Action Network Speaks!, and one individual.

Your Committees find that although the Department of Human Services (DHS) oversees nearly \$4,000,000,000 in funds, over eighty offices statewide, and a staff of nearly two thousand positions to provide financial assistance, food assistance, health care coverage, child care subsidies, rental assistance, vocational rehabilitation services, homeless services, and protective services to Hawaii residents, it only has four permanent positions within its director's office. According to testimony received by your Committees, other departments with similar levels of work, budget, and staffing operate with significantly larger directors' offices that include multiple deputies and additional permanent positions, and that the nine positions specified within this measure require a high level of professional experience and expertise that does not currently exist within the civil service.

Your Committees recognize the diversity and magnitude of DHS programs and that, with the upcoming end of federal pandemic programs and program waivers, DHS needs continuity of leadership with knowledge and experience to support its ever-evolving and complex operations. This measure will provide the necessary infrastructure for DHS to continue serving the community and fulfill its duties and responsibilities with minimal disruptions to residents' access to benefits and services.

Your Committees have amended this measure by inserting an effective date of June 30, 2032, to encourage further discussion.



As affirmed by the records of votes of the members of your Committees on Labor and Technology and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 339, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 339, 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.

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Ihara, Keith-Agaran).

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1324 Health and Human Services on H.B. No. 218**

The purpose and intent of this measure is to:

- (1) Require certain pharmacies to:
  - (A) Provide accessible prescription drug label information to individuals who have difficulty seeing or reading prescription drug container labels; and
  - (B) Inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels; and
- (2) Require the Board of Pharmacy to adopt certain rules necessary for the purposes of this Act by December 31, 2025.

Your Committee received testimony in support of this measure from the National Federation of the Blind of Hawaii, National Organization of Parents of Blind Children, Hawaii Disability Rights Center, Hoopono, and eight individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Pharmacists Association. Your Committee received comments on this measure from the Department of Human Services and Board of Pharmacy.

Your Committee finds that regulation of prescription drug labels is largely a state, not a federal, responsibility. Your Committee further finds that existing state law requires dispensing pharmacies to label each prescription drug container with specific information identifying the drug and providing information necessary for health and safety. However, individuals who have vision impairments may experience difficulty in reading the labels, leading them to inadvertently take the wrong type or dosage of medication at the wrong time or under the wrong instructions, thereby endangering their health and safety. This measure addresses this concern by requiring pharmacies to provide prescription drug label information in alternate accessible formats for individuals who are unable to effectively read standard printed prescription labels.

Your Committee has amended this measure by:

- (1) Requiring the Board of Pharmacy to adopt rules to carry out the purposes of this Act by December 31, 2024;
- (2) Requiring the Board of Pharmacy to adopt rules in accordance with this measure applicable to hospital pharmacies and manufacturers of medication who provide their products directly to consumers;
- (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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 218, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 218, 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. 1325 Health and Human Services on H.B. No. 870**

The purpose and intent of this measure is to:

- (1) Require the Department of Human Services to:
  - (A) 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;
  - (B) Establish a Neighbor Islands Blind and Visually Impaired Service Pilot Program Working Group to develop a pilot program implementation plan and submit the plan to the Legislature before the Regular Session of 2024; and
  - (C) Submit a report on the Neighbor Islands Blind and Visually Impaired Service Pilot Program to the Legislature before the Regular Session of 2027; and
- (2) Appropriate funds for the establishment and operation of the pilot program and working group.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, National Organization of Parents of Blind Children, National Federation of the Blind of Hawaii, State Committee of Blind Vendors, and ten individuals. Your Committee received comments on this measure from the Department of Human Services.

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 to improve their quality of life and independence and enable them to have full and integrated lives in their communities.

Your Committee notes that although this measure contains an unspecified appropriation amount, should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider appropriating to the Department of Human Services \$100,000 to contract services for a facilitator to convene the working group and for pilot program planning efforts, and \$93,000 to establish a 1.0 full-time equivalent (1.0 FTE) position within the Department of Human Services to oversee the contract and pilot program.

Your Committee further acknowledges the testimony of the Department of Human Services requesting that the establishment of the Neighbor Islands Blind and Visually Impaired Service Pilot Program pursuant to this measure take effect at least six months to a year from this measure's enactment to give the Department sufficient time to work with the community to determine the scope of the pilot program and develop an appropriate budget. Your Committee finds that this request merits consideration and requests that it be further examined by your Committee on Ways and Means.

Your Committee has amended this measure by:

- (1) Amending section 1 to clarify its purposes;
- (2) Inserting an effective date of June 30, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 870, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 870, 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. 1326 Health and Human Services on H.B. No. 1263**

The purpose and intent of this measure is to:

- (1) Authorize the Director of Finance to use funds deposited into the Hawaii ABLE Savings Program Trust Fund for any expenses incurred in developing and administering the Hawaii ABLE Savings Program;
- (2) Establish a position within the State Council on Developmental Disabilities of the Department of Health to provide statewide outreach, advocacy, and relationship management for the Hawaii ABLE savings program; and
- (3) Appropriate funds to be deposited into the Hawaii ABLE Savings Program Trust Fund.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Executive Office on Aging, Disability and Communication Access Board, Hawaii Disability Rights Center, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds the Hawaii ABLE Savings Program is a program that provides individuals with disabilities with the same types of flexible savings accounts that people without disabilities have, such as college savings accounts, health savings accounts, and individual retirement accounts, where interest earned on savings are tax-exempt. ABLE accounts also enable individuals with a disability to accrue funds to pay for a variety of expenses, such as medical and dental care, education, community-based supports, employment training, assistive technology, housing, and transportation. There are approximately forty-three thousand individuals with disabilities in the State who are eligible for the ABLE Savings Program; however, many of them are reluctant to enroll due to misinformation about the program or hesitation to provide their personal information online, which is currently the only means by which one can apply for an ABLE account. This measure will enable the Hawaii ABLE Savings Program to engage in necessary outreach to educate and encourage these individuals to enroll in the program to save money for their futures.

Your Committee notes that S.B. No. 672, S.D. 1 (2023), a substantially similar measure that was previously passed by the Senate, is preferable because it also clarifies the sources of the moneys deposited into the trust fund, allows the moneys in the trust fund to be expended to provide incentive payments to program enrollees, and appropriates moneys out of the trust fund to be expended by appropriate agencies for the program and the newly established outreach position.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 672, S.D. 1 (2023), a measure that:
  - (A) Repeals language that gives the Director of Finance discretion to use moneys in the Hawaii ABLE Savings Program Trust Fund if the Director elects to accept deposits from contributors instead of sending deposits directly to the ABLE Program Manager;
  - (B) Authorizes the Director of Finance to expend moneys in the Hawaii ABLE Savings Program Trust Fund to provide incentive payments to Hawaii public school ABLE account owners; and
  - (C) Establishes one full-time equivalent permanent position to provide statewide outreach advocacy, and relationship management; and
- (2) Inserting an effective date of June 30, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1263, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1263, 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. 1327 (Joint/Majority) Agriculture and Environment and Higher Education on H.B. No. 306**

The purpose and intent of this measure is to appropriate funds for statewide research through the University of Hawaii College of Tropical Agriculture and Human Resources into ornamental ginger pathogens, the prevention of the spread of ornamental ginger pathogens, the production and distribution of pathogen-free ornamental ginger plants, and outreach to ornamental ginger producers.

Your Committees received testimony in support of this measure from the Department of Agriculture, University of Hawai'i College of Tropical Agriculture and Human Resources, Maui County Farm Bureau, Land Use Research Foundation, Hawai'i Farm Bureau, Hawaii Floriculture and Nursery Association, East Oahu County Farm Bureau, and seven individuals.

Your Committees find that commercial production of ornamental ginger has been on a steady decline for years, due to the emergence of several deadly plant viruses and diseases. In 2018, a team of specialists and virologists from the College of Tropical Agriculture and Human Resources, Hawaii Farm Bureau, and Department of Agriculture, identified a combination of six viruses, including two viruses discovered during the survey, which are responsible for the demise of ornamental ginger plants in Hawaii. The viruses were found to be present statewide, but are most prevalent on Oahu and Hawaii island. Your Committees further find that virus-infected plants cannot be cured and that most large-scale growing operations have plants that are virus-infected. Without more research and the implementation of informed prevention strategies through a multi-agency outreach approach, these viruses can spread further and impact the profitability and long-term survivability of the local ornamental and landscape production industries. Therefore, this measure appropriates funds for further research into ornamental ginger viruses, pathogens, and diseases, and potential prevention strategies and production methods for disease-free plants, and provides funds for outreach to inform ornamental ginger growers of any new and valuable disease-related discoveries.

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 H.B. No. 306, 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.  
Agriculture and Environment: Ayes, 4. Noes, 1 (Awa). Excused, none.  
Higher Education: Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

**SCRep. 1328 Agriculture and Environment on H.B. No. 608**

The purpose and intent of this measure is to establish an organic foods production tax credit applicable to taxable years beginning after December 31, 2023, and sunseting December 31, 2033.

Your Committee received testimony in support of this measure from the Department of Agriculture; Wakefield and Sons, Inc.; Rancho Aloha Coffee Farm; Hawai'i Farmers Union United; Tinyville Farm; Hawai'i Farm Bureau; Hawai'i Alliance for Progressive Action; Manowaiopae Excellent Adventure Farm; Hawai'i Reef Ocean Coalition; Kuwale Ridge Farms; Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i; Food+ Policy Internship 2023; and fourteen individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that organic farming practices improve soil fertility and structure, promote biodiversity, and reduce the risks of human, animal, and environmental exposure to toxic materials. Your Committee notes that these beneficial practices often require additional costs and expenses to farmers who in turn expect price premiums that are afforded to them by their organic certification and certified organic label. However, due to the relatively small size of many farms in Hawaii and the lack of a state certification program, local farms are dissuaded from the costly United States Department of Agriculture organic certification process and therefore neglect pursuing organic certification, despite high demand for such produce and products in the State. Instead, certified organic produce and products from larger operations on the mainland dominate local markets and enjoy the price premiums afforded to them by the certified organic label. This measure establishes the organic foods production tax credit to alleviate the cumbersome costs associated with equipment, materials, or supplies necessary for organic certification for organic farmers applying for organic certification.

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. 608, 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, 5; Ayes with Reservations (DeCoite, Richards). Noes, none. Excused, none.

**SCRep. 1329 (Joint) Agriculture and Environment and Higher Education on H.B. No. 694**

The purpose and intent of this measure is to appropriate funds to support the Aquaculture Disease Diagnostic Laboratory at the Department of Agriculture Animal Industry Division Veterinary Laboratory Services Branch, in partnership with the University of Hawaii College of Tropical Agriculture and Human Resources.

Your Committees received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System; Hawai'i Farm Bureau; Local Food Coalition; Shrimp Improvement Systems, LLC; Hawaii Aquaculture and Aquaponics Association; and two individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees acknowledge the importance of Hawaii's aquaculture industry and recognize that supporting local aquacultural production advances and supports the State's food sustainability and economic diversification goals. Your Committees find that

currently, local aquaculture samples are sent to the University of Arizona for testing, which creates significant delays, results in excessive costs, and delays timely industry action. While the Department of Agriculture and the University of Hawaii College of Tropical Agriculture and Human Resources have laboratory capabilities, they lack the appropriate personnel and industry focus that a burgeoning local aquaculture industry demands. Therefore, this measure appropriates funds to support and create new positions at the Aquaculture Disease Diagnostic Laboratory at the State Veterinary Laboratory building in the Department of Agriculture Animal Industry Division Veterinary Laboratory Services Branch, in partnership with the University of Hawaii College of Tropical Agriculture and Human Resources, to support its development of and assistance to local aquaculture production.

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 H.B. No. 694, 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.

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

**SCRep. 1330 (Joint) Agriculture and Environment and Public Safety and Intergovernmental and Military Affairs on H.B. No. 695**

The purpose and intent of this measure is to allow for the use of battery-charged security fences used for non-agricultural purposes, under certain circumstances.

Your Committees received testimony in support of this measure from Amarak Ultimate Perimeter Security.

Your Committees find that property valued at approximately \$85,000,000 was reported stolen in Hawaii in 2022 and that electric fences may deter future attempted thefts. Your Committees further find that farmers and ranchers can also use electric fences to maintain the integrity of their livestock and food crops. Thus, this measure allows for the use of battery-charged security fences used for non-agricultural purposes on agricultural lands under certain conditions.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 695, 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.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Awa).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Awa).

**SCRep. 1331 (Joint) Agriculture and Environment and Health and Human Services on H.B. No. 1266**

The purpose and intent of this measure is to allow wild game to be donated as food.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau; Maui County Farm Bureau; Maui Chamber of Commerce; Hawaii Cattlemen's Council, Inc; Hawai'i Forest Industry Association; Hawai'i Farmers Union United; and four 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 Agriculture.

Your Committees find that across Hawaii, various invasive species are creating havoc in agriculture as well as the ecosystems in which they exist. Maui County's axis deer crisis is one example of an invasive species with populations exploding due to abundant forage following rainfall events. Axis deer continue to destroy crops and pasture lands by devouring vegetation and eating almost any crop they come across. Feral pigs can damage pasture grasses, killing desired plant species and often encouraging the growth of undesired weed species. Feral pigs also devastate orchards by consuming fruit, citrus, and nuts, and their rooting can severely damage, or even kill saplings, shrubs, and vines directly or by facilitating the spread of soil-based fungal diseases. Your Committees additionally recognize that feral animals inhibit farmer and rancher operations by causing damage to infrastructure and consuming crops and, as Hawaii feral animal populations continue to expand, these damages, costs, and risks will only continue to rise. Therefore, this measure allows for the donation of wild game to under-resourced communities to incentivize the reduction of feral animals in Hawaii by way of wild game hunting.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1266, 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.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 1332 Agriculture and Environment on H.B. No. 947**

The purpose and intent of this measure is to establish a Food Manufacturer Tax Credit for certain qualified expenses of manufacturers that produce valued-added products.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i, Ulupono Initiative, Hawaii Food Industry Association, Maui Chamber of Commerce, Hawaii Food Manufacturers Association, Chamber of Commerce Hawaii. Your Committee received comments on this measure from the Department of Taxation, Hawaii Technology Development Corporation, and Tax Foundation of Hawaii.

Your Committee finds that farmers and value-added food producers in the State face high production costs and narrow profit margins, which work to disincentivize the creation and distribution of manufactured food products in Hawaii. Substantial amounts of food of subpar cosmetic quality, unfit for the competitive marketplace yet full of nutrients and calories, are wasted each year due to stringent market quality standards. Value-added food products utilize these perfectly good and discarded foods to create new edible products, reducing food waste and increasing revenue streams for farmers and food manufacturers. Your Committee further finds that a tax credit can incentivize food manufacturers to utilize local agricultural yields to reduce food waste and increase revenues for local farmers and ranchers in the State. Therefore, this measure establishes the Food Manufacturer Tax Credit to be equal to the qualified expenses of a qualified taxpayer food manufacturer, as part of the larger and ongoing statewide effort to bolster local agriculture and enhance food security in Hawaii.

Your Committee has amended this measure by:

- (1) Amending the definition of “qualified taxpayer” to mean food manufacturers that produce local value-added processed, agricultural, or food products;
- (2) Adding a definition for the term “local value-added processed, agricultural, or food products” to mean at least fifty-one percent of the product’s primary agricultural product is grown, raised, and harvested in Hawaii; and
- (3) Adding a definition for the term “primary agricultural product” to mean the major agricultural product in a processed or value-added agricultural or food product.

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. 947, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 947, 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 (Richards). Noes, none. Excused, none.

**SCRep. 1333 Agriculture and Environment on H.B. No. 607**

The purpose and intent of this measure is to create an interisland produce shipping income tax credit for taxpayers who are farmers, or are producers of agricultural commodities, cooperatives, broad line distributors, or food hubs who ship products and agricultural goods between counties.

Your Committee received testimony in support of this measure from the Department of Agriculture; Kanalani Ohana Farm; Ulupono Initiative; Ponoholo Ranch Limited; Hawai’i Farmers Union United; Hawai’i Farm Bureau; Hawai’i Alliance for Progressive Action; Kuwale Ridge Farms; North Shore Economic Vitality Partnership; Hawaii Cattlemen’s Council, Inc.; Hawaii Food Industry Association; and twenty individuals. Your Committee received comments on this measure from the Department of Taxation and the Tax Foundation of Hawaii.

Your Committee recognizes the State’s vision of supporting local farmers and food producers so that they may enter the marketplace with affordable and fresh food and food products for Hawaii’s residents and visitors. Your Committee further finds that due to Hawaii’s unique geographical constraints, farmers and food producers in the State often face burdensome costs when shipping or transporting their perishable products over ocean channels or from rural farm lands to consumers in urban areas. These costs can discourage the expansion of interisland commerce and impede growth incentives for the smaller operations that encompass a great majority of the farms, ranches, and food producers in the State. This measure will alleviate the burdensome costs of interisland shipping and transport for farmers, ranchers, and food producers by providing a tiered tax credit system to encourage local agriculture to expand and make available affordable food options for Hawaii residents and visitors.

Your Committee has amended this measure by:

- (1) Removing inconsistent language that allowed the tax credit to be claimed by a developer of a commercial building for renovation costs, and clarifying that the credit may be claimed for transportation costs; 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 H.B. No. 607, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 607, 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. 1334 Agriculture and Environment on H.B. No. 308**

The purpose and intent of this measure is to:

- (1) Establish the Sustainable Food Systems Working Group within the Department of Agriculture;
- (2) Require the working group to submit a plan, any recommendations for implementing the plan, and any proposed legislation to the Legislature; and
- (3) Appropriate funds to establish the working group and develop the plan and for an unspecified number of sustainability specialist positions to be employed by the Department of Agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of Hawaiian Affairs; University of Hawai’i College of Tropical Agriculture and Human Resources; Hawai’i Farm Bureau; Sierra Club of Hawai’i; North

Shore Economic Vitality Partnership; Hawai'i Public Health Institute; Ulupono Initiative; Hawaii Food Industry Association; Climate Protectors Hawaii; Hawai'i Tourism Authority; Hawaii Cattlemen's Council, Inc; Hawai'i Farmers Union United; and four individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that developing a more sustainable food system for Hawaii represents an opportunity to create a new food economy that integrates the objectives of green job creation, sustainable economic development, land stewardship, food security, environmental protection, and climate change resiliency with the principles of public health and collective well-being. Your Committee acknowledges that the State must lead the way with policies and plans that can propel Hawaii in this new direction pragmatically. However, your Committee recognizes that the Legislature is limited in what it can accomplish on its own, and therefore must rely on and work closely with industry, government agencies, and policy experts to bring its ideas and goals into fruition. Thus, this measure establishes within the Department of Agriculture the Sustainable Food Systems Working Group, a collection of thirty-two representatives from across the State's government agencies and agriculture sector, to develop an interagency food systems plan and appropriates funds and positions to support this group.

Your Committee has amended this measure by:

- (1) Adding to the Sustainable Food Systems Working Group a representative from the Department of Health, to be selected by the Director of Health, and a representative from the Hawaii Cattlemen's Council, Inc., to be selected by the president of the Hawaii Cattlemen's Council, Inc.; and
- (2) Replacing the selector of the two representatives of the University of Hawaii System who have experience in food systems, with the Dean of the College of Tropical Agriculture and Human Resources, and the selector of the representative of the Hawaii Farm Bureau, with the President of the Hawaii Farm Bureau.

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. 308, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 308, 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. 1335 (Joint) Agriculture and Environment and Public Safety and Intergovernmental and Military Affairs on H.B. No. 1396**

The purpose and intent of this measure is to:

- (1) Establish and appropriate funds for a County Cesspool Conversion Pilot Program at the Department of Health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect individual properties in the priority area and reduce or eliminate cesspools in the identified area;
- (2) Create a cesspool conversion section at the Department of Health to facilitate the conversion of cesspools within the State;
- (3) Establish and appropriate funds for cesspool conversion positions at the Department of Health;
- (4) Establish an income tax credit for the cost of upgrading or converting a qualified cesspool to a Director of Health-approved wastewater system or connecting to a sewerage system; and
- (5) Require certain information regarding cesspools on real property to be included in seller mandatory disclosures for real property transactions.

Your Committees received testimony in support of this measure from the Department of Health, University of Hawai'i Sea Grant College Program and Water Resources Research Center, Office of the Mayor of the County of Kauai, Friends of Hanauma Bay, Hawai'i Association of REALTORS, Ulupono Initiative, Environmental Caucus of the Democratic Party of Hawai'i, Wastewater Alternatives and Innovations, Public Access to Sunscreens Coalition, Hawai'i Reef and Ocean Coalition, and three individuals. Your Committees received comments on this measure from the Department of Taxation.

Your Committees find that there are over eighty thousand cesspools in the State that discharge about fifty million gallons of raw sewage into groundwater sources every day. The discharge is of significant concern to residents and exacerbates public health and environmental challenges that are pressed upon the State. Thus, the State has established the mandate to connect to a sewerage system, upgrade, or convert all cesspools in Hawaii by 2050. This measure contains some of the substantive groundwork that is required to achieve this goal and includes the establishment and funding of a County Cesspool Conversion Pilot Program; a Cesspool Conversion Section and funding for positions at the Department of Health; an income tax credit to incentivize landowners and homeowners to convert their cesspools; and mandatory public disclosure of cesspools on real property in seller mandatory disclosures for real property transactions.

Your Committees have amended this measure by:

- (1) Inserting a new part that allows the Department of Health to retain experts to identify necessary public outreach and education resources and tools, and develop a comprehensive public outreach strategy and website to provide necessary information to educate homeowners regarding the State's cesspool upgrade, conversion, or connection to a sewerage system requirements and deadlines; 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 Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of

H.B. No. 1396, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1396, 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. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Awa).

**SCRep. 1336 (Majority) Energy, Economic Development, and Tourism on Gov. Msg. No. 505**

Recommending that the Senate not advise and consent to the nomination of the following:

DIRECTOR, DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

G.M. No. 505 CHRIS SADAYASU, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Chris Sadayasu for service as the Director of Business, Economic Development, and Tourism.

Your Committee received testimony in support of the nomination for the appointment of Chris Sadayasu from the Governor; Chief Housing Officer of the Office of the Governor; Department of Business, Economic Development, and Tourism; Department of Land and Natural Resources; Department of Human Resources Development; Department of Public Safety; Department of Transportation; Department of Labor and Industrial Relations; Department of Human Services; Department of Commerce and Consumer Affairs; Department of Agriculture; Department of Budget and Finance; Department of Health; Department of Law Enforcement; Hawaii Technology Development Corporation; Hawai'i Tourism Authority; Office of Planning and Sustainable Development; Agribusiness Development Corporation; Hawai'i Community Development Authority; Hawaii Green Infrastructure Authority; Hawai'i State Aha Moku; Hawaii State Energy Office; Natural Energy Laboratory of Hawaii Authority; Stadium Authority; Office of Enterprise Technology Services; Hawaii Public Housing Authority; Department of Taxation; University of Hawai'i at Manoa Pacific Asian Center for Entrepreneurship; International Brotherhood of Electrical Workers Local 1260; Hawai'i Hotel Alliance; Central Pacific Bank; Outrigger Hospitality Group; Airport Concessionaires Committee; AES; Hawai'i Community Foundation; Kekaha Agriculture Association; Omnitrak; Roberts Hawaii; Koolau Foundation; Hawaii Regional Council of Carpenters; Kakoo Oihi; Hookipa Specialists, LLC; and forty-three individuals.

Your Committee notes that Mr. Sadayasu has over twenty years of professional experience working in various government roles and has served as the acting Director of the Department of Business, Economic Development, and Tourism since December 2022. Mr. Sadayasu has a Bachelor's degree in Economics and Accounting from Claremont McKenna College and a Juris Doctorate from the William S. Richardson School of Law. Previous to his current role, Mr. Sadayasu served as a Housing Development Specialist with the Hawaii Housing Finance and Development Corporation, an Asset Manager and Compliance Assurance and Community Outreach Officer with the Hawaii Community Development Authority, Asset Management Administrator with the City and County of Honolulu Office of Strategic Development, Tourism Brand Manager for the Hawaii Tourism Authority, and Charities Program Administrator with the Department of the Attorney General's Tax and Charities Division. Mr. Sadayasu was also previously an associate attorney at Ching, Yuen & Morikawa for a number of years where he worked on cases involving real estate transactions, foreclosures, corporate and securities law, quiet title, and land use matters.

Your Committee finds that the Department of Business, Economic Development, and Tourism (Department) is tasked with undertaking statewide business and economic development activities, energy development and management, economic research and analysis, planning for the use of the State's ocean resources, and the development and promotion of industry and international commerce. The Director is also tasked with ensuring appropriate coordination among the Department's programs and other state departments and external agencies. As head of the Department, your Committee expects the Director to communicate effectively and be prepared to work with policymakers to move the State forward in areas such as clean energy development, economic diversification, and tourism. However, your Committee notes that on multiple occasions, Mr. Sadayasu has been unprepared to respond to questions posed by senators during hearings to consider a number of measures involving the Department or its programs. While Mr. Sadayasu eventually provided answers to the senators' questions, his responses have often come in subsequent hearings and meetings. Mr. Sadayasu's failure to adequately prepare for senate hearings and meetings has required the Senate to schedule additional, unnecessary hearings to work with the Department. Although Mr. Sadayasu has apologized for his lack of preparedness and has promised to improve, your Committee is concerned that this behavior will continue to result in inefficiencies and a lack of communication between the Department and the Legislature. This lack of communication is especially troubling during a time that your Committee believes will require collaboration in order for the State to succeed in accomplishing its important goals and policies.

Your Committee further notes that Mr. Sadayasu has had issues attending meetings relating to his duties as the acting Director of the Department and has left some essential meetings prior to their completion. Although Mr. Sadayasu often left these meetings early to attend to other matters as acting Director, your Committee believes that to effectively lead the Department, the Director must make every effort to plan their schedule appropriately to allow their full participation in all necessary meetings in their entirety. Additionally, your Committee has concerns regarding Mr. Sadayasu's ability to lead and effectively manage the hundreds of employees in the Department. While Mr. Sadayasu does have previous experience managing employees, your Committee notes he has managed the maximum of four employees at any one given time prior to his role as acting Director. This track record of failing to participate in meetings in their entirety and lack of experience managing a large number of employees, especially when coupled with his problem to effectively communicate with the Legislature, concerns your Committee and affords it little confidence in Mr. Sadayasu's ability to effectively lead the Department and fulfill the duties and responsibilities of the Director.

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, recommends that the Senate not advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1337 Government Operations on Gov. Msg. No. 520**

Recommending that the Senate advise and consent to the nomination of the following:

COMPTROLLER, DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

G.M. No. 520 KEITH REGAN, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Keith Regan for service as the Comptroller for the Department of Accounting and General Services.

Your Committee received testimony in support of the nomination for the appointment of Keith Regan from the Governor; Department of Budget and Finance; Department of Taxation; Department of Labor and Industrial Relations; Department of Land and Natural Resources; Department of Public Safety; Department of Human Services; Department of Agriculture; Department of Education; Department of Health; Department of Human Resources Development; Department of Defense; State Procurement Office; Office of Information Practices; Enterprise Technology Services; Office of Elections; Hawai'i Tourism Authority; Hawaii Public Housing Authority; State of Hawaii Organization of Police Officers; General Contractors Association of Hawaii; Mahi Pono; Hawai'i Lodging and Tourism Association; Operating Engineers Local Union No. 3; Hawaii Harbor Users Group; Matson Navigation Company, Inc; Boy Scouts of America Troop 325; and sixty-two individuals.

Upon review of the testimony, your Committee finds that Keith Regan's experience, knowledge, and proven leadership qualify him for appointment to Comptroller at the Department of Accounting and General Services. Your Committee finds that Mr. Regan has served as the interim Comptroller since December 2022. For almost twenty years, Mr. Regan has worked at both the state and county levels, in various executive management positions, including at the Department of Commerce and Consumer Affairs, Hawaii Tourism Authority, and Department of Management and the Department of Finance of the County of Maui. In these leadership positions, Mr. Regan has proven his commitment to public service and ability to lead with a clear vision.

Your Committee finds that Mr. Regan is uniquely suited to the role of Comptroller. Mr. Regan earned a Master's degree in Public Administration from the University of Southern California and a Master of Business Administration from the University of Phoenix. He also completed the Senior Executives in State & Local Government program at Harvard Kennedy School of Government in Cambridge, Massachusetts. Coupled with his public administration and government service-focused education, Mr. Regan's professional duties throughout his career have allowed him to sharpen his knowledge and skills in the areas of general supervision, finance, budget, compliance, procurement, emergency management, information technology, and more. The efforts he has made to develop professionally provide him with a solid foundation and acumen to perform the duties of Comptroller.

Testifiers acknowledge that he is dedicated to achieving administration goals in an honest, transparent, accountable, and responsible manner and that he has the essential management, policy-making, and decision-making skills to lead coordination efforts with private, state, and county agencies. Testifiers also praised his expertise of government operations and his innovativeness and responsiveness in times of crisis. Additionally, Mr. Regan's prior public service demonstrates his ability to improve operational capabilities and long-range program planning. Testifiers also praise his commitment to community-minded volunteerism through active participation in various capacities at organizations such as the Aloha Council of the Boy Scouts of America, Honolulu Japanese Chamber of Commerce, and Kiwanis Club of Honolulu. Your Committee therefore recommends that Keith Regan be appointed as Comptroller based on his knowledge of government operations, honed management and interpersonal skills, and proven leadership.

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, 5. Noes, none. Excused, none.

**SCRep. 1338 (Majority) Hawaiian Affairs on Gov. Msg. No. 524**

Recommending that the Senate advise and consent to the nomination of the following:

CHAIRPERSON, DEPARTMENT OF HAWAIIAN HOMELANDS

G.M. No. 524 KALI WATSON, for a term to expire 12-31-2026

Your Committee reviewed the personal history, resume, and statement submitted by Kali Watson for service as the Chairperson of the Department of Hawaiian Home Lands.

Your Committee received testimony in support of the nomination of Mr. Watson from the Governor; Department of Land and Natural Resources; Department of Labor and Industrial Relations; Department of Transportation; Department of Health; Department of Budget and Finance; Department of Public Safety; Department of Law Enforcement; Department of Defense; Department of Taxation; Department of Agriculture; Office of Planning and Sustainable Development; Hawaii Public Housing Authority; Office of Enterprise Technology Services; one member of the Kaua'i County Council; one member of the Maui County Council; one former Chairperson of the Department of Hawaiian Home Lands; Hawaii State Aha Moku; Ko'olaupoko Hawaiian Civic Club; PBR Hawaii and Associates, Inc.; Waiohuli Hawaiian Homesteaders Association, Inc.; Hawaii Regional Council of Carpenters; Waimea Hawaiian Homesteaders Association; Ho'omana Pono, LLC; Kalihi Palama Hawaiian Civic Club; Kainalu Surf Shop; Piihonua Hawaiian Homestead Community Association; Hawaii Operating Engineers Industry Stabilization Fund Political Action Committee; Ko'olau Foundation; Keaukaha Pana'ewa Farmers Association; Hawai'i Community Lending, Inc.; Friends of Waimanalo; and forty individuals. Your Committee received testimony in opposition to the nomination of Mr. Watson from Ka Lāhui Hawai'i and thirty-five individuals.

Upon review of the testimony, your Committee finds that Mr. Watson's background and extensive experience qualify him to be appointed as the Chairperson of the Department of Hawaiian Home Lands. Mr. Watson currently serves as the President and Chief Executive Officer of the Hawaiian Community Development Board (HCDB), a nonprofit established in 2000 with the express mission



of supporting and promoting housing, community, and economic development projects that benefit low-income Native Hawaiian families living in the Hawaiian Home Lands and communities throughout the State. As President and CEO, Mr. Watson has worked closely with homestead beneficiary leaders and numerous Native Hawaiian organizations and has cultivated relationships with both nonprofit and private developers to bring such projects to life. For example, Mr. Watson served as the project director for the Nanakuli Hawaiian Homestead Community Association where he coordinated the planning, design, and construction of a six-acre multi-use retail and health services commercial project known as the Nanakuli Village Center, which serves as the locale for the Kamehameha Schools' Kalanihookaha Hawaiian Cultural Center, a commercial center, a satellite of the Waianae Coast Comprehensive Health Center, and a forty-eight-unit affordable rental housing project. Mr. Watson also served as the project director for the Kahikolu Ohana Hale O Waianae where he developed the Kahikolu Housing Project, which includes seventy-two affordable multi-family apartments. Your Committee finds that these projects, among the many others, demonstrate Mr. Watson's leadership, vision, and dedication to providing much needed housing and economic opportunities for the predominantly Native Hawaiian families living in the often-neglected leeward community.

Especially relevant, Mr. Watson previously served as the Director of the Department of Hawaiian Home Lands and Chairman of the Hawaiian Homes Commission from 1995 through 1998, under the administration of then Governor Benjamin Cayetano. During his tenure, Mr. Watson was responsible for coordinating the development of over 3,100 residential lots on Hawaiian Home Lands and helped transfer 16,518 acres of state lands to the Hawaiian Home Lands Trust. Mr. Watson was also instrumental in the passage and transfer of over nine hundred acres of federal lands into the Hawaiian Home Lands Trust through the federal Hawaiian Home Lands Recovery Act of 1995. Your Committee finds that Mr. Watson's core institutional knowledge of the Department of Hawaiian Home Lands and his deep understanding of the issues pertinent to homestead communities -- both of which were on full display during the hearing on March 16, 2023 -- will suit him well as he returns to once again lead the Department.

Further, a lawyer by trade, Mr. Watson previously served as a state Deputy Attorney General, where he was assigned to the Department of Hawaiian Home Lands and helped oversee the Department's management and development of commercial and industrial properties. Mr. Watson also served as legal counsel for the Office of Hawaiian Affairs, where he advised the Board of Trustees on ceded land negotiations and fashioned settlement packages designed to increase and expand the Office's real estate development potential. Mr. Watson is a member of the Native Hawaiian Bar Association and was formerly involved with organizations such as the Native Hawaiian Chamber of Commerce, Legal Aid Society of Hawaii, Habitat for Humanity, and others. Mr. Watson received a Juris Doctorate from the William S. Richardson School of Law and a Bachelor of Business Administration and Management degree from the University of Hawai'i at Manoa.

Your Committee believes that Mr. Watson's extensive project development and legal background, combined with his life-long service on behalf of Native Hawaiian housing and cultural issues, qualifies him to serve as the Chairperson of the Department of Hawaiian Home Lands. Your Committee finds that Mr. Watson is an established and sophisticated project developer with a proven track record of success and that his subject matter expertise and fluency in the complex field of housing development -- which encompasses bond financing, housing tax credits, project management, and land use and zoning laws -- will allow him to immediately take the helm and begin putting plans into action for the benefit of the Native Hawaiian people. Your Committee finds that one of the chief concerns for many who testified was the need to quickly and efficiently encumber the \$600,000,000 appropriated by the Legislature through Act 279, Session Laws of Hawaii 2022, before the funds lapse, and your Committee appreciates Mr. Watson's expressed intent to aggressively pursue the twenty projects identified in the strategic plan approved by the Hawaiian Home Lands Commission.

Lastly, your Committee inquired, in performing its due diligence, whether any actual or perceived conflicts of interest might arise in relation to Mr. Watson's nonprofit, HCDB, and the Department of Hawaiian Home Lands, which have collaborated together on several projects over the years. Your Committee finds that Mr. Watson provided clear and candid responses to questions and notes that Mr. Watson testified that, should he be confirmed, he would step down from the HCDB and recuse himself from any action involving HCDB and the Department of Hawaiian Home Lands. Therefore, your Committee recommends that Kali Watson be appointed as the Chairperson of the Department of Hawaiian Home Land based on his knowledge, experience, and dedication to public service.

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; Ayes with Reservations (Ihara). Noes, 1 (Fevella). Excused, none.

**SCRep. 1339 (Majority) Health and Human Services on H.B. No. 261**

The purpose and intent of this measure is to:

- (1) Require the Department of Human Services to establish a Child Care Accreditation Program to assist licensed and registered child care providers in obtaining accreditation;
- (2) Authorize the use of the Child Care Grant Program Special Fund for Child Care Accreditation Program grants;
- (3) Extend the deadlines by which existing Preschool Open Doors Program service providers shall commence the accreditation process and obtain accreditation;
- (4) Appropriate funds for the Child Care Accreditation Program, including funding for the establishment of one full-time equivalent (1.0 FTE) position; and
- (5) Appropriate funds into and out of the Child Care Grant Program Special Fund for the Child Care Accreditation Program.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Early Learning Board, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy, Stonewall Caucus of the Democratic Party of Hawaii, Parents and Children Together, Rainbow Family 808, and ten individuals. Your Committee received testimony in opposition from one

individual. Your Committee received comments on this measure from the Department of Human Services and Department of the Attorney General.

Your Committee finds that the Preschool Open Doors Program is the State's school readiness program that serves low- to moderate-income families whose children will be eligible for kindergarten in the following school year. The program provides critical subsidies for income-eligible families sending their children to a licensed preschool during the year prior to kindergarten entry. To ensure that children participating in the program are receiving certain levels of care, existing law requires service providers who have not obtained accreditation from a national early learning accrediting organization by July 1, 2022, to start the accreditation process no later than July 1, 2024, and be accredited by July 1, 2029. However, the effects of the coronavirus disease 2019 (COVID-19) pandemic have delayed this process for many child care providers. This measure will provide the additional time and funds needed for child care providers to obtain the necessary accreditation.

Your Committee acknowledges the testimony of the Department of Human Services raising concerns over the inability of child care facilities to maintain sufficient staff levels due to the continuing economic impacts of the COVID-19 pandemic, and requesting that the accreditation requirement for service providers receiving funds from the Preschool Open Doors Program be made voluntary until the child care workforce in the State is more stabilized or subsidized. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Making the accreditation requirement for service providers receiving funds from the Preschool Open Doors Program voluntary;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of June 30, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 261, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 261, 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 (Awa). Excused, none.

**SCRep. 1340 Higher Education on H.B. No. 1301**

The purpose and intent of this measure is to appropriate funds for the University of Hawaii Cancer Center to conduct a multiethnic cohort study focusing on the social determinants of health, lifestyles, environmental exposures, and resilience factors of Native Hawaiians, Pacific Islanders, and Filipinos.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Office of Hawaiian Affairs, Hawai'i Primary Care Association, 'Ahahui o nā Kauka, Leukemia & Lymphoma Society, Hawaii Medical Association, American Cancer Society Cancer Action Network, and eleven individuals.

Your Committee finds that medical research has the potential to develop safe and effective methods to prevent, detect, diagnose, treat, and ultimately cure cancer. Despite developments in cancer research, Native Hawaiians, Pacific Islanders, and Filipinos continue to experience high rates of common cancers, and this problem continues to be understudied. A new multiethnic cohort study of these populations is vitally important to address this gap in research. Findings by the cohort study will be useful to present and future cancer treatment and research affecting Native Hawaiians, Pacific Islanders, and Filipinos and will foster partnerships between these communities and medical and research communities to define common priority research areas. Therefore, this measure appropriates funds for the University of Hawaii Cancer Center to conduct a multiethnic cohort study to improve lifestyle, social, cultural, and economic determinants of cancer prevention, screening, early detection, treatment, and survivorship for Native Hawaiians, Pacific Islanders, and Filipinos.

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 H.B. No. 1301, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1301, 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 (Fukunaga).

**SCRep. 1341 Higher Education on H.B. No. 968**

The purpose and intent of this measure is to appropriate funds to the University of Hawaii Pamantasan Council for three full-time equivalent Academic and Support Services Specialist positions.

Your Committee received testimony in support of this measure from the Hawaii Friends of Civil Rights, Sariling Gawa Youth Council, and nineteen individuals.

Your Committee finds that Filipino Americans continue to be underrepresented as undergraduates at the University of Hawaii compared to the proportion of Filipino Americans enrolled in the State's public schools. Filipino faculty, particularly holding tenure track positions, and administrators are also severely underrepresented across all University campuses. The University of Hawaii Pamantasan Council leads and supports efforts to address this underrepresentation of Filipinos at the University through workforce and

curriculum development, research, and community service. Therefore, this measure appropriates funds to support the University of Hawaii Pamantasan Council's work to increase Filipino access, equity, and inclusion at the University of Hawaii.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 968, 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 (Fukunaga).

**SCRep. 1342 (Joint) Water and Land and Higher Education on H.B. No. 88**

The purpose and intent of this measure is to:

- (1) Establish and appropriate funds for a two-year program at the University of Hawaii to study sand movement patterns and coastal erosion along the coast between Sunset Beach Park and Ehukai Beach Park on the North Shore of Oahu, including the impact of sandbag walls, tarps, rocks placed in the shoreline, sand pushing, and coastal restoration on beach processes; and
- (2) Establish a temporary moratorium on the use of sandbag walls on state lands, unless authorized by an emergency permit from the Department of Land and Natural Resources.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawaii'i System, 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 the Attorney General.

Your Committees find that areas of Hawaii's iconic and world-famous North Shore have been under threat from coastal erosion. Compounding this problem, many private homeowners have resorted to placing sandbags and other shoreline hardening structures on state lands and public beaches to protect their properties from sea level rise, which can interfere with the natural dynamic of beach sand and potentially result in further erosion. Your Committees find that further investigation is needed to help the State understand how coastal erosion and shoreline hardening structures might affect beaches on the North Shore. Therefore, this measure enlists the University of Hawaii to further study the problem and submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025.

Your Committees have amended this measure by:

- (1) Inserting language that clarifies that, because the findings produced by the proposed study will be generally applicable to other beaches and coastal areas statewide, this measure is consequently a matter of statewide concern; 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 Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 88, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 88, 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; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Chang, McKelvey).  
Higher Education: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1343 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on H.B. No. 892**

The purpose and intent of this measure is to appropriate funds from the Boating Special Fund for the hire of three full-time equivalent (3.0 FTE) positions under the Department of Land and Natural Resources to provide security at small boat harbors on Maui.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committees find that small boat harbors on Maui have been plagued by vandalism, graffiti, illegal dumping, homelessness, damage to restrooms, and general unsanitary conditions. Therefore, this measure provides funding for additional security at Maui small boat harbors to help prevent and deter acts of vandalism and ensure that Maui's harbors are safe, clean, and hospitable for all.

Your Committees have amended this measure by:

- (1) Inserting a blank amount for the number of full-time equivalent permanent positions to be established;
- (2) Providing that appropriations will be used to establish positions for security at small boat harbors statewide, as opposed to solely for the island of Maui; 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 Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 892, H.D. 2, as amended herein, and recommend 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 Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.  
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Chang).  
Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1344 (Joint/Majority) Water and Land and Agriculture and Environment on H.B. No. 952**

The purpose and intent of this measure is to appropriate funds to the Department of Land and Natural Resources to address the impacts of climate change in the State.

Your Committees received testimony in support of this measure from the Office of the Governor, Department of Land and Natural Resources, Department of Defense, University of Hawai'i Climate Resilience Collaborative and Sea Grant College Program, Hawai'i Climate Change Mitigation and Adaptation Commission, The Nature Conservancy, Hawai'i Forestry Industry Association, Kauai Climate Action Coalition, and five individuals.

Your Committees find that climate change is the overarching challenge for the State. Therefore, this measure will ensure that the Department of Land and Natural Resources has the necessary resources to carry out plans and strategies to mitigate the current and future effects of climate change, including through the protection, management, and restoration of native forests, native plants and animals, aquatic resources, coastal lands, and freshwater sources.

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. 952, 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.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

Agriculture and Environment: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1345 (Joint/Majority) Water and Land and Agriculture and Environment on H.B. No. 1101**

The purpose and intent of this measure is to:

- (1) Exempt the State and its departments and agencies that maintain or operate a stormwater management system that is interconnected to a county stormwater system from county stormwater user fees; and
- (2) Prohibit each county from denying services to the State or its departments or agencies by reason of nonpayment of user fees.

Your Committees received testimony in support of this measure from the Department of Transportation; Matson Navigation Company, Inc.; and Hawai'i Harbors Users Group. Your Committees received testimony in opposition to this measure from the Department of Facility Maintenance of the City and County of Honolulu; Hawai'i Community Foundation; Building Owners and Managers Association of Hawai'i; and one individual. Your Committees received comments on this measure from the Tax Foundation of Hawaii.

Your Committees find that the Department of Transportation, City and County of Honolulu, and County of Maui each manage their own Municipal Separate Storm Sewer Systems (MS4). Your Committees also find that at certain locations, the facilities of the Department of Transportation -- as well other departments and agencies -- will connect with storm drains belonging to the counties, and vice versa. Your Committees further find that, over the past three years, the City and County of Honolulu has undertaken a comprehensive program to develop its own stormwater fee pursuant to Act 42, Session Laws of Hawaii 2015 (codified as section 46-1.5(5)(E), Hawaii Revised Statutes), and intends to eventually charge and collect user fees from the State.

Your Committees find that the Department of Transportation already pays approximately \$24,000,000 annually to maintain its MS4, which also supports counties at certain locations at no cost. Thus, your Committees believe that preempting the counties' ability to charge the State stormwater user fees -- or potentially and irresponsibly deny stormwater services to the State altogether due to nonpayment -- will help manage taxpayer costs and promote better coordination between the State and the counties. Therefore, this measure will exempt the State from county stormwater user fees and help prevent any future unintended consequences that might result from inter-jurisdictional rivalry over an important and critical segment of public infrastructure.

Notwithstanding, your Committees have heard the testimony of the Department of Transportation, expressing that, in the interest of compromise, the Department is open to paying county stormwater user fees so long as a reasonable aggregate fee cap amount is provided. Therefore, your Committees have amended this measure by:

- (1) Establishing a fee cap amount for county stormwater user fees that may be charged against or collected from the Department of Transportation of \$1,500,000 in the aggregate per year;
- (2) Prohibiting each county from denying services to the Department of Transportation by reason of nonpayment of user fees, as opposed to the original proposed language, which would have prohibited the denial of service to the State or its departments or agencies; 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 H.B. No. 1101, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1101, 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 (McKelvey, Fevella).

Agriculture and Environment: Ayes, 4; Ayes with Reservations (Richards). Noes, 1 (Awa). Excused, none.

**SCRep. 1346 Housing on H.B. No. 678**

The purpose and intent of this measure is to require the counties to issue affordable housing credits for affordable housing units that are constructed pursuant to chapter 201H, Hawaii Revised Statutes, until June 30, 2028.

Your Committee received testimony in support of this measure from NAIOP Hawaii; NAIOP Hawaii Developing Leaders; 'Ikenākea Development, LLC; American Savings Bank; Highridge Costa Development Company; Housing Hawai'i's Future; and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Housing Finance and Development Corporation. Your Committee received comments on this measure from the Office of Housing and Community Development of the County of Hawaii, Maui Chamber of Commerce, and one individual.

Your Committee finds that the State is in a housing crisis and that additional housing units will need to be immediately developed in mass quantities to meet the projected demand. Your Committee recognizes that the recent increases in home loan and construction loan interest rates have neutralized the incentives for market developers to build income-specified housing units under chapter 201H, Hawaii Revised Statutes. Housing credits help provide an opportunity to alleviate some of the strain on the current availability of resources to finance important housing projects with less risk. This measure is intended to encourage the production of more affordable units in the State through the creation of a temporary affordable housing credit program that provides affordable housing credits to eligible developers of residential projects that are required to be sold or rented to individuals within a specific income range.

Your Committee has amended this measure by:

- (1) Amending language to allow the Hawaii Housing Finance and Development Corporation to enter into memorandums of agreement with any county;
- (2) Inserting an effective date of January 1, 2024; 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. 678, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 678, 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 (Awa).

**SCRep. 1347 Health and Human Services on H.B. No. 622**

The purpose and intent of this measure is to:

- (1) Make permanent the Prevent Suicide Hawaii Task Force within the Department of Health;
- (2) Require the Task Force to focus on reducing the suicide rate among Native Hawaiians and Pacific Islanders in the State; and
- (3) Require annual reports to the Legislature.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Public Safety, Prevent Suicide Hawai'i Taskforce, University of Hawai'i at Manoa John A. Burns School of Medicine, Stonewall Caucus of the Democratic Party of Hawaii, Papa Ola Lokahi, Hawai'i Primary Care Association, Hawai'i Family Forum, Hawaii Medical Association, 'Ahaui o nā Kauka, and five individuals. Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that there are on average, one hundred ninety-six suicide deaths in the State per year, which constitutes approximately twenty-two percent of all fatal injuries in the State, and that the number of suicide attempts are five times as many. Your Committee also finds that the Prevent Suicide Hawaii Task Force is a partnership of state, public, and private individuals, organizations, and community groups working in the area of suicide prevention, who collaborate to provide leadership, set goals and objectives, develop strategies, coordinate activities, and monitor the progress of suicide prevention efforts in the State. Your Committee further finds that Native Hawaiians and Pacific Islanders have a higher rate of suicide compared to other ethnicities such as Caucasians, Japanese, and Filipinos. This measure ensures that a strategic plan is developed and maintained to reduce suicides in the State, with particular focus on the Native Hawaiian and Pacific Islander communities.

Your Committee acknowledges the testimony of the Department of Health stating that this measure is premature, since the Prevent Suicide Hawaii Task Force is currently in the process of developing a strategic plan to reduce suicides in the State by at least twenty-five percent by 2025, as requested by H.C.R. No. 66 (2016). Your Committee also acknowledges the Department's request for the Legislature to await taking action on this matter, including naming participants to a permanent task force, in light of the fact that the task force has submitted an interim report to the Legislature in December 2017, and is currently working towards the development of a strategic plan to be delivered in 2025. Therefore, it is necessary to amend this measure to address this request.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have made permanent the Prevent Suicide Hawaii Task Force within the Department of Health;
- (2) Inserting language that:
  - (A) Creates a Prevent Suicide Hawaii Working Group within the Office of Wellness and Resilience;
  - (B) Designates the Executive Director of the Office of Wellness and Resilience to serve as the chair of the working group;
  - (C) Requires the working group to examine, evaluate, and determine methods to improve education, awareness, support services, and outreach to best prevent suicides in the State, particularly among Native Hawaiians, Pacific Islanders, farmers, youth, LGBTQIA+, veterans, and other populations identified by the federal Centers for Disease Control and Prevention as a high-risk population for suicide;
  - (D) Requires the working group to implement the recommendations in the interim report issued by the Prevent Suicide Hawaii Task Force pursuant to H.C.R. No. 66, S.D. 1 (2016);

- (E) Sets forth the members of the working group; and
- (F) Requires the working group to report to the Legislature before the Regular Session of 2025;
- (3) Deleting section 1;
- (4) Inserting an effective date of June 30, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 622, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 622, 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, 5. Noes, none. Excused, none.

**SCRep. 1348 Health and Human Services on H.B. No. 950**

The purpose and intent of this measure is to:

- (1) Extend the time period that a family court may order continued assisted community treatment; and
- (2) Reduce the time period that a family court needs to determine whether assisted community treatment should continue.

Your Committee received testimony in support of this measure from the State Council on Mental Health and one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that if a person suffers from a serious mental illness or severe substance abuse, but can still make decisions, treatment cannot be administered to the person unless the person consents to treatment. However, if the person suffering from a serious mental illness or severe substance abuse does not have decision making capacity, under existing law, a family court may order the person to obtain assisted community treatment for a period of not more than one year. Your Committee finds that for persons who meet the criteria for court ordered assisted community treatment, one year is often not enough time for the person to be stabilized. In these cases, another court order is necessary for the person to receive another one-year period of assisted community treatment. This measure extends the time a court may order assisted community treatment from one year to two years, allowing a person suffering from a serious mental illness or severe substance abuse to receive an appropriate level of treatment to address their needs.

Your Committee has amended this measure by:

- (1) Deleting language that would have extended the time period that a family court may order continued assisted community treatment to two years and inserting a blank number of years instead; and
- (2) Inserting an effective date of June 30, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 950, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 950, 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. 1349 (Joint) Higher Education and Hawaiian Affairs on H.B. No. 1430**

The purpose and intent of this measure is to establish the Institute of Indigenous Education, Science, and Outreach within the University of Hawaii at Hilo.

Your Committees received testimony in support of this measure from the University of Hawai'i System, Ke Kula 'O Nāwahīokalani'ōpu'u, Ukwanshin Kabudan, 'Aha Pūnana Leo, National Coalition of Native American Language Schools and Programs, Japanese Chamber of Commerce & Industry of Hawaii, Hawai'i Island Chamber of Commerce, Kupuna for the Mo'opuna, and eighty-four individuals.

Your Committees find that the University of Hawaii at Hilo Hawaiian Language College and the University of Hawaii at Hilo Imiloa Astronomy Center are establishing a Hawaiian language medium early education pathway. The establishment of this pathway has required great agility on behalf of the College and the Center, including in areas such as scheduling courses outside of the University's standard semesters to provide curriculum and instruction to pre-kindergarten to grade twelve institutions and teaching at the College's laboratory school program to fill gaps in instruction. Your Committees further find that the structure of an institute would allow the College and Center to more effectively respond to these unique needs for the pathway's development. Therefore, this measure establishes the Institute of Indigenous Education, Science, and Outreach as a collaboration between the University of Hawaii at Hilo Hawaiian Language College and the University of Hawaii at Hilo Imiloa Astronomy Center to allow the College and Center to more effectively carry out their joint work.

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. 1430, 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 (Fukunaga).  
Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

**SCRep. 1350 (Joint) Higher Education and Health and Human Services on H.B. No. 353**

The purpose and intent of this measure is to appropriate funds for the expansion of the Certified Nurse Aide to Practical Nurse Bridge Program at the University of Hawaii Maui College.

Your Committees received testimony in support of this measure from the University of Hawai'i System, The Queen's Health System, Healthcare Association of Hawaii, and one individual.

Your Committees find that there is a statewide shortage of licensed practical nurses in the State. To address this shortage and the insufficient number of opportunities for education and training of individuals to become licensed practical nurses, the Certified Nurse Aide to Practical Nurse Bridge Program was established at the University of Hawaii Maui College. The Program utilizes an "earn and learn" model to deliver online didactic curriculum and hands-on clinical education at a student's place of work. Results from a pilot program launched in January 2023 demonstrate great demand for the Certified Nurse Aide to Practical Nurse Bridge Program, and the Program hopes to expand to meet this demand. Therefore, this measure appropriates funds for instructional costs and student aid to expand participation in the Certified Nurse Aide to Practical Nurse Bridge Program to help increase access to health care across the State.

As affirmed by the records of votes of the members of your Committees on Higher Education and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 353, 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 (Fukunaga).

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

**SCRep. 1351 (Joint) Health and Human Services and Transportation and Culture and the Arts on H.B. No. 415**

The purpose and intent of this measure is to appropriate funds to the Department of Health to implement the recommendations of the Task Force on Mobility Management established pursuant to Act 214, Session Laws of Hawaii 2013 (Act 214).

Your Committees received testimony in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, AARP Hawai'i, Hawaii Disability Rights Center, Maui Metropolitan Planning Organization, National Federation of the Blind of Hawaii, Oahu Metropolitan Planning Organization, and five individuals. Your Committees received comments on this measure from the Department of Transportation.

Your Committees find it paramount that the State has a comprehensive transportation network that can offer its residents, including kupuna and individuals with disabilities, efficient, safe, and affordable transportation options. To enable the State to make an informed decision on the best means by which this objective can be effectuated, the Legislature passed Act 214, which established the Task Force on Mobility Management to make recommendations on establishing a transportation framework to assist kupuna and individuals with disabilities with transportation needs in each county, including recommendations relating to funding through the state budget and program development. The task force's final report, submitted to the Legislature on January 30, 2015, recommended that the State continue to support the counties' efforts in developing their respective Mobility Management Program by various means. This measure will allow those recommendations to be implemented and thereby promote the establishment of a comprehensive, reliable transportation system in each county, enabling its residents to fully access the economic, health, and social aspects of their communities.

Your Committees acknowledge concerns raised in testimony stating that the Department of Transportation, whose purview includes the planning and designing of various transportation modes in the State in coordination with other government agencies, is better suited to implement the recommendations of the Task Force on Mobility Management. Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committees have amended this measure by:

- (1) Amending the expending agency of the appropriated funds from the Department of Health to the Department of Transportation to implement the recommendations made by the Task Force on Mobility Management established pursuant to Act 214;
- (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 records of votes of the members of your Committees on Health and Human Services and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 415, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 415, 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 and Human Services: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1352 (Joint) Health and Human Services and Higher Education on H.B. No. 1148**

The purpose and intent of this measure is to appropriate funds to the University of Hawaii to expand and support the Mental Health Technician Certificate of Competence Program.

Your Committees received testimony in support of this measure from the Judiciary, Department of Health, State Council on Mental Health, University of Hawai'i System, and one individual.

Your Committees find that there is a severe shortage of mental health workers in the State. In response, the University of Hawaii Windward Community College, in collaboration with the Hawaii State Hospital, developed the Mental Health Technician Certificate of Competence Program (Program) to provide foundational knowledge to potential mental health workers and to upskill existing workers. Despite the relative youth of the Program, which was first implemented in the spring of 2022, the Program has already helped to alleviate the State's dire need for mental health services, particularly at the Hawaii State Hospital, where nearly half of the program's graduates are now employed. To continue to build the capacity of the State to implement effective, supportive mental health care, this measure appropriates funds to support the expansion of the Mental Health Technician Certificate of Competence Program.

Your Committees have amended this measure by:

- (1) Amending section 1 to specify that this measure addresses an issue of statewide concern;
- (2) Inserting an effective date of June 30, 2023, 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 Human Services and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1148, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1148, 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 and Human Services: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1353 (Joint) Health and Human Services and Higher Education on H.B. No. 838**

The purpose and intent of this measure is to reestablish and appropriate funds for the Long-Term Care Commission within the University of Hawaii College of Social Sciences' Social Science Research Institute to identify the needs and funding opportunities related to long-term care in the State.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board, University of Hawai'i System, AARP Hawai'i, Kūpuna Caucus of the Democratic Party of Hawai'i, Healthcare Association of Hawaii, and two individuals. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that Act 224, Session Laws of Hawaii 2008, established a Long-Term Care Commission to identify needed reforms of the long-term care system, research programmatic changes and resources necessary to meet the State's long-term care public policy goals, and explore funding options to support the provision of long-term care services in the future. The State's long-term care system has evolved since the Commission issued its report more than a decade ago in 2012, particularly through the expansion of home and community-based services and the effects of the coronavirus disease 2019 pandemic. Therefore, a review of the Commission's assessments, conclusions, and recommendations is needed to update the State's long-term care policy goals and guiding principles and public and private financing options to achieve these goals and any related reforms. To conduct this review, this measure reestablishes the Long-Term Care Commission.

Your Committees note the testimony of the University of Hawaii, which states that the implementation of this measure would require an annual appropriation amount of \$520,000, which would establish and support one full-time equivalent Faculty Specialist or Program Manager position and two part-time equivalent Graduate Research Assistant positions. In addition, the University would require annual funds to commission third-party research and release faculty from teaching duties to engage in research. Therefore, should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider inserting an appropriation amount of \$520,000.

Your Committees have amended this measure by:

- (1) Amending section 1 to specify that this measure addresses an issue of statewide concern;
- (2) Inserting an effective date of June 30, 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 Human Services and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 838, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 838, 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 and Human Services: Ayes, 3. Noes, none. Excused, 2 (Shimabukuro, Awa).

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1354 Government Operations on H.B. No. 32**

The purpose and intent of this measure is to clarify the Office of the Legislative Analyst.

Your Committee did not receive any testimony on this measure.

Your Committee finds that Act 347, Session Laws of Hawaii 1990, established the Office of the Legislative Analyst. The Office of the Legislative Analyst was originally intended to assist the Legislature with information, facts, and analyses concerning fiscal, budgetary, and tax matters of the State. As the Legislature meets for approximately four months of the year, it has come to rely heavily on the use of session-only legislative staff. Additionally, the reliance on session-only legislative staff creates gaps in institutional knowledge and requires annual training that may delay the research process. This measure clarifies the Office of the Legislative



Analyst, which would create continuity with fiscal and budgetary research while also providing the Legislature with timely information to make informed policy decisions for the State.

Your Committee has amended this measure by inserting a new effective date of July 1, 2112, to continue 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 H.B. No. 32, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 32, 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 (Wakai).

**SCRep. 1355 Government Operations on H.B. No. 1184**

The purpose and intent of this measure is to provide a process by which agencies may procure professional services when fewer than three qualified persons respond to an additional solicitation.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, University of Hawai'i System, Office of the Mayor of Maui County, and Department of Budget and Fiscal Services of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the State Procurement Office, Department of Finance of the County of Kauai, American Institute of Architects Hawaii State Council, and American Council of Engineering Companies of Hawaii.

Your Committee finds that state agencies may procure professional services for certain projects that require additional expertise. However, for certain state and county agencies, especially agencies located on the neighbor islands, there is a lack of accessibility to readily available and qualified vendors or professional services to ensure projects continue in a timely manner. This measure eases the procurement process for certain solicitations to ensure the continuation of projects vital to state functions.

Your Committee notes that the companion to this measure, S.B. No. 1465, S.D. 2 (Regular Session of 2023), which was previously passed by the Senate, is a substantially similar measure that also authorizes agencies to rank fewer than three individuals for professional services when fewer than three qualified persons respond to the solicitation or request to use alternative procurement procedures when no qualified person responds to the solicitation. Your Committee concludes that the language in S.B. No. 1465, S.D. 2, is preferable because it:

- (1) Reflects the consensus language of stakeholders that best represents the agreement reached through their discussions thus far;
- (2) Provides additional parameters for purchasing agencies to fulfill in the event of a bid receiving fewer than three qualified persons; and
- (3) Ensures the structural and procedural adherence consistent with existing procurement law while also authorizing state and county agencies to seek repetitive and alternative means to award critical professional service contracts to entities who have been deemed qualified to provide vital services.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 1465, S.D. 2, a substantially similar measure, which authorizes agencies, upon approval by the Chief Procurement Officer, to rank fewer than three persons for the procurement of professional services, and:

- (1) In the event two qualified persons respond to the solicitation, authorizes the agencies to rank the respondents using specified criteria;
- (2) In the event one qualified person responds to the solicitation, authorizes the agencies to evaluate the person's qualifications and provide the name of the person to the head of the purchasing agency to negotiate a contract at a fair and reasonable price;
- (3) In the event no qualified person responds to the solicitation, specifies alternative procurement procedures to select a qualified person; and
- (4) Inserts an effective date of July 1, 2112.

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. 1184, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1184, 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 (Wakai).

**SCRep. 1356 (Joint) Health and Human Services and Labor and Technology on H.B. No. 547**

The purpose and intent of this measure is to:

- (1) Require the Department of Human Services to establish and implement a two-year Infant and Toddler Child Care Worker Subsidy Pilot Program to retain the existing early child care workforce in licensed infant and toddler child care center settings; and
- (2) Appropriate funds for the Pilot Program.

Your Committees received testimony in support of this measure from the Executive Office on Early Learning; Early Learning Board; Hawai'i State Coalition Against Domestic Violence; Holomua Collaborative; Early Childhood Action Strategy; Hawai'i Children's Action Network Speaks!; Rainbow Family 808; Stepping Stones Academy; Tori Richard, Ltd.; Parents and Children

Together; aio, LLC; Malama Kaua'i; American Association of University Women of Hawaii; HPM Building Supply; Little Hoku Montessori Academy; Hawai'i Gas; Title Guaranty of Hawai'i; and twenty-six individuals. Your Committees received comments on this measure from the Department of Human Services and Department of the Attorney General.

Your Committees find that a strong child care and early education workforce is essential to support Hawaii's children, working families, and communities. Your Committees also find that despite working in a specialized field with health, safety, and educational requirements more stringent than the average American worker, compensation for many early childhood care and education providers remain at the second or third percentile in the United States Bureau of Labor and Statistics' rankings of occupation, making their pay comparable to parking attendants, bartenders, and laundry workers. Your Committees further find that the State is having an increasingly difficult time recruiting and retaining infant and toddler child care workers, which has been exacerbated by the effects of the coronavirus disease 2019 pandemic. This measure improves compensation for infant and toddler child care workers in the State to ensure retention of the existing early child care workforce in licensed infant and toddler child care center settings.

Your Committees note that although this measure contains an unspecified appropriation amount, should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider appropriating \$6,336,000 for the Infant and Toddler Child Care Worker Subsidy Pilot Program.

Your Committees have amended this measure by:

- (1) Inserting an effective date of December 31, 2023; 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 Human Services and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 547, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 547, 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 and Human Services: Ayes, 5. Noes, none. Excused, none.

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Ihara, Keith-Agaran).

**SCRep. 1357 (Joint/Majority) Hawaiian Affairs and Housing on H.B. No. 567**

The purpose and intent of this measure is to:

- (1) Exempt from general excise taxes certain projects developed by the Department of Hawaiian Home Lands;
- (2) Make permanent the exemption from school impact fee requirements for new housing projects developed by the Department of Hawaiian Home Lands;
- (3) Make permanent the issuance of county affordable housing credits to the Department of Hawaiian Home Lands; and
- (4) Ensure that the \$600,000,000 appropriated to the Department of Hawaiian Home Lands pursuant to Act 279, Session Laws of Hawaii 2022 (Act 279), is available for expenditure until June 30, 2025.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Department of Education, Land Use Research Foundation of 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 Taxation, School Facilities Authority, Office of Housing and Community Development of the County of Hawai'i, Tax Foundation of Hawaii, and Maui Chamber of Commerce.

Your Committees find that the State has a duty to provide affordable housing to native Hawaiians and that the excessively long beneficiary waitlist has resulted in lost opportunities for many beneficiaries and families. Thus, in 2022, the Legislature enacted Act 279 to help resolve the existing backlog, which provided \$600,000,000 in funds for the Department of Hawaiian Home Lands for the development of new housing and to provide housing assistance to those still on the waitlist. However, your Committees note that because appropriations are generally restricted from exceeding a period of three years, the \$600,000,000 in funding may be subject to lapse prior to its enacted sunset date. Therefore, this measure will ensure that the funds intended by Act 279 remain available for expenditure until June 30, 2025, as originally provided.

Your Committees also find that the Department of Hawaiian Home Lands' mission to provide below-market housing to beneficiaries warranted the provision of county affordable housing credits (as an incentive to private developers) and exemption from school impact fees (to help increase the amount of new housing developed and to offset the loss of Hawaiian Home Lands withdrawn for use as public schools). Your Committees find that while the laws that provided this necessary assistance are currently set to terminate in 2024, they remain just as important and critical today. Therefore, this measure eliminates the sunset provisions for these laws and makes permanent the affordable housing credits and school impact fee exemption for the Department of Hawaiian Home Lands. Further, this measure provides a new exemption from general excise taxes for certain Department of Hawaiian Home Lands housing projects to further support new housing development.

Your Committees have amended this measure by:

- (1) Expanding the proposed exemption from general excise taxes to both developments for homestead lots and housing projects;
- (2) Amending section 46-15.1(b), Hawaii Revised Statutes, to allow the County of Hawaii to enter into a memorandum of agreement with the Department of Hawaiian Home Lands to establish, modify, or clarify the conditions for the issuance, transfer, and redemption of county affordable housing credits, from the existing law, which only allows the County of Kauai and the City and County of Honolulu to do so;

- (3) Inserting an effective date of January 1, 2024, to allow the Department of Taxation time to make necessary system and form changes; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Lastly, your Committees note that the proposed new section, which exempts from general excise taxes certain projects developed by the Department of Hawaiian Home Lands, requires all claims for an exemption to be filed with and certified by the Department of Hawaiian Home Lands, and subsequently forwarded to the Department of Taxation. Your Committees note the testimony of the Department of Taxation, expressing concerns that while it would defer to the Department of Hawaiian Home Lands regarding its ability to certify the exemption pursuant to the requirements set forth in this measure, the Department of Taxation requests that a third-party certification requirement be utilized, as the Department of Taxation lacks the subject matter expertise to determine eligibility for the proposed exemption. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider implementing a process for third-party certification for general excise tax exemption claims.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 567, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 567, 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, 3. Noes, 1 (Fevella). Excused, 1 (Ihara).

Housing: Ayes, 4; Ayes with Reservations (Rhoads). Noes, 1 (Awa). Excused, none.

**SCRep. 1358 (Joint) Agriculture and Environment and Water and Land on H.B. No. 441**

The purpose and intent of this measure is to appropriate funds to the University of Hawaii for the:

- (1) Development of a database and data portal from data sources detailed in the May 2022 report on social vulnerability to climate change in Hawaii, under certain conditions; and
- (2) Maintenance and updating of the data portal.

Your Committees received testimony in support of this measure from the Department of Health, Office of Planning and Sustainable Development, Hawai'i Climate Change Mitigation and Adaptation Commission, Environmental Caucus of the Democratic Party of Hawai'i, Wild Kids, Blue Planet Foundation, Climate Future Forum, Imua Alliance, and eight individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that helping communities and county, state, and federal agencies to better understand the social impacts of climate change in the State is key to increasing statewide resilience. According to testimony received by your Committees, federal equity tools do not sufficiently address local realities and are not refined enough to effectively inform decision-makers, nonprofit organizations, and community leaders as they allocate their resources and plan adaptive and mitigation strategies. This measure would provide localized data and specifically identify which residents and communities are most vulnerable to the numerous environmental, economic, and public health impacts of climate change, thereby allowing the State to address these issues more effectively.

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. 441, 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, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

**SCRep. 1359 (Joint) Agriculture and Environment and Water and Land on H.B. No. 615**

The purpose and intent of this measure is to clarify that any provision in a private agreement contained in a conveyance of land recorded on or before July 8, 2003, that has since expired but has not been renewed and recorded in the Bureau of Conveyances is prohibited from restricting bona fide agricultural uses and activities on agricultural land.

Your Committees received testimony in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, and Hawai'i Farm Bureau.

Your Committees find that some "private agreements" established on subdivided and condominiumized agricultural lands with lot or unit owner associations prior to the effective date of section 205-4.6, Hawaii Revised Statutes, contained limitations and prohibitions on agricultural activities and uses. These constraints can severely impact farming operations and include limitations on hours of operation of farm equipment, height of windbreaks, and types of crops that are allowed to be cultivated. The measure will prevent these private agreements created prior to July 8, 2003, that have since expired and not been renewed, from being enforced.

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. 615, H.D. 1, 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, 5. Noes, none. Excused, none.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

**SCRep. 1360 (Joint) Agriculture and Environment and Water and Land on H.B. No. 995**

The purpose and intent of this measure is to:

- (1) Clarify the decision-making process for the Land Use Commission adoption of county maps and designation of important agricultural lands; and
- (2) Repeal the provision for farm dwelling and employee housing on important agricultural lands and adopt a new provision for farm cluster housing as an incentive for the designation of lands as important agricultural lands.

Your Committees received testimony in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, and Hawai'i Farm Bureau. Your Committees received comments on this measure from the Land Use Commission.

Your Committees find that the identification of important agricultural lands (IAL) is a constitutional mandate pursuant to article XI, section 3, of the Hawaii State Constitution. This mandate conserves and protects agricultural lands, promotes diversified agriculture, increases agricultural self-sufficiency, and assures the availability of agriculturally suitable lands. However, because of the lack of clarity on how IAL designations may affect land use and rights, many small agricultural landowners are uneasy about seeking IAL designations. Your Committees further find that some landowners question whether an IAL designation will restrict their occupancy of farm dwellings, causing them to worry that they may be forced to leave their homes once they are no longer physically able to work the land. This measure will allow the Department of Agriculture to offer more clarity about IAL designations through the rulemaking process and provides incentives for the development of housing for farmers and their employees.

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. 995, 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.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 3; Ayes with Reservations (Elefante). Noes, none. Excused, 2 (McKelvey, Fevella).

**SCRep. 1361 (Joint/Majority) Agriculture and Environment and Water and Land on H.B. No. 1182**

The purpose and intent of this measure is to appropriate funds to the Department of Agriculture for the preparation of an environmental impact statement for lessees to drill non-potable water wells on individual parcels at Panaewa Agricultural Park, Hawaii island.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau. Your Committees received testimony in opposition to this measure from the Department of Agriculture.

Your Committees find that an affordable and reliable water source for irrigation is a basic requirement of sustainable agriculture. However, your Committees find that access to reliable water remains a challenge for many farmers, as the current law requires a time-consuming and often cost-prohibitive environmental impact statement to be prepared before a farmer can drill for non-potable water on their land. Your Committees further find that subsidizing the cost of an environmental impact statement for Panaewa farmers would not only support the individual farms, but consumers of agricultural products throughout the State. Therefore, this measure will help subsidize Panaewa farmers and additionally support the State's general effort to meet its self-sustainability goals.

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. 1182, 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.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 2. Noes, 1 (Elefante). Excused, 2 (McKelvey, Fevella).

**SCRep. 1362 (Joint) Public Safety and Intergovernmental and Military Affairs and Higher Education on H.B. No. 1129**

The purpose and intent of this measure is to appropriate funds as a grant to the Hawaii Friends of Restorative Justice for the education and reentry program for incarcerated women.

Your Committees received testimony in support of this measure from the Department of Education, Department of Public Safety, University of Hawai'i System, one member of the Kahalu'u Neighborhood Board, Hawai'i Friends of Restorative Justice, Women's Prison Project, Community Alliance on Prisons, Rainbow Family 808, and seven individuals.

Your Committees find that in 2021, the Hawaii Friends of Restorative Justice developed and administered an education and reentry program for incarcerated women in partnership with the Women's Community Correctional Center, Windward Community College, University of Hawaii at Manoa, and McKinley Community School for Adults. Your Committees further find that in 2022, the Legislature attempted to fund the second year of the program by making a \$200,000 appropriation to the McKinley Community School for Adults. However, the McKinley Community School for Adults did not develop and does not directly administer the program, and as of November 1, 2022, the funding has not been distributed. The Hawaii Friends of Restorative Justice has continued to administer the program through a private donation while awaiting access to the funding. This measure will assist incarcerated women in achieving their educational goals and increase their passage rates for the General Educational Development test.

Your Committees note that the companion to this measure, S.B. No. 710, S.D. 2, which was previously passed by the Senate, provides educational opportunities to incarcerated women to improve their post-release prospects. Your Committees conclude that the language in S.B. No. 710, S.D. 2, is preferable because it requires the McKinley Community School for Adults to work with the Hawaii Friends of Restorative Justice to provide counseling services for incarcerated women participating in the education and reentry program for incarcerated women that is developed and administered by the Hawaii Friends of Restorative Justice and establishes standards for the administrative grant to the Hawaii Friends of Restorative Justice.

Accordingly, your Committees have amended this measure by deleting its contents and inserting the contents of S.B. No. 710, S.D. 2, a substantially similar measure, which:

- (1) Requires the McKinley Community School for Adults to work with the Hawaii Friends of Restorative Justice to provide counseling services for incarcerated women participating in the education and reentry program for incarcerated women that is developed and administered by the Hawaii Friends of Restorative Justice; and
- (2) Appropriates moneys for the education and reentry program for incarcerated women that is developed and administered by the Hawaii Friends of Restorative Justice.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1129, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1129, 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 and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1363 (Joint) Public Safety and Intergovernmental and Military Affairs and Higher Education on H.B. No. 1131**

The purpose and intent of this measure is to require the University of Hawaii to conduct a comparative study of all programming offered to persons incarcerated at correctional facilities in the State for the purpose of identifying gaps in programming offered to female inmates.

Your Committees received testimony in support of this measure from the Department of Public Safety, Women's Prison Project, Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, and one individual. Your Committees received comments on this measure from the Department of the Attorney General and University of Hawai'i System.

Your Committees find that although existing law requires that female prisoners be provided a range and quality of programming substantially equivalent to the range and quality of programming offered to male persons who are similarly situated, parity does not appear to exist. This measure will assist the Department of Public Safety's efforts to create successful pathways for offenders as they re-enter the community by identifying inequalities in programming offered to inmates and addressing discrepancies offered to incarcerated women.

Your Committees note that the companion to this measure, S.B. No. 711, S.D. 2, which was previously passed by the Senate, ensures gender parity in programming offered to incarcerated women and men in the State. Your Committees conclude that the language in S.B. No. 711, S.D. 2, is preferable because it appropriates funds to the Hawaii Friends of Restorative Justice, instead of the University of Hawaii, to conduct a study of programming offered to persons incarcerated at correctional facilities, expands the scope of the study, and convenes a group of incarcerated women for the purpose of identifying gaps in programming offered to female inmates.

Accordingly, your Committees have amended this measure by deleting its contents and inserting the contents of S.B. No. 711, S.D. 2, a substantially similar measure, which appropriates funds to the Hawaii Friends of Restorative Justice as a grant to:

- (1) Conduct a study of programming offered to persons incarcerated at correctional facilities; and
- (2) Convene a group of incarcerated women for the purpose of identifying gaps in programming offered to female inmates.

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 Public Safety and Intergovernmental and Military Affairs and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1131, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1131, 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 and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1364 (Joint) Judiciary and Health and Human Services on H.B. No. 1442**

The purpose and intent of this measure is to:

- (1) Expand the Criminal Justice Diversion Program;
- (2) Amend the allowable period of court-ordered assisted community treatment and considerations for extensions;
- (3) Allow courts to require certain probation violators to undergo mental health evaluation and treatment as a condition of continued probation;
- (4) Require the Department of Health to contract with behavioral health crisis centers; and
- (5) Appropriate funds.

Your Committees received testimony in support of this measure from the Judiciary, Department of Health, Hawaii Correctional System Oversight Commission, Office of the Public Defender, Honolulu Police Department, Hawaii Substance Abuse Coalition, and one individual. Your Committees 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 Committees find that a multi-pronged approach is necessary to address the many challenges to the criminal justice system presented by the prevalence of serious mental illness in the community. This measure provides tools that strengthen the government's ability to respond to these challenges. When one is in crisis, the addition of crisis centers, improvements to laws regarding assisted community treatment, and enhanced opportunities to ensure treatment of individuals remain viable alternatives to the criminal justice system.

Your Committees have amended this measure by:

- (1) Restoring statutory language that excludes nonviolent misdemeanants and defendants charged with promoting a dangerous drug in the third degree from the Criminal Justice Diversion Program;
- (2) Specifying the time period in which, if the defendant's clinical team determines that the defendant meets the criteria for involuntary hospitalization, the Director of Health shall file a petition for involuntary hospitalization with the family court to be within seven days of the clinical team's determination;
- (3) Removing language that would have required the clinical team to have previously determined that an assisted community treatment plan was appropriate for the defendant, and the defendant declined to accept the treatment plan on multiple occasions in a set time frame, before the Director of Health would be required to file the assisted community treatment petition with the family court;
- (4) Specifying that if the defendant declines to accept the mental health services described in the certificate for assisted community treatment, then the Director of Health, within ten days of the defendant's refusal of services described in the certificate, shall file the assisted community treatment petition with the family court;
- (5) Adding language that specifies that when a petition for assisted community treatment has been filed for a defendant, the defendant committed to the custody of the Director of Health shall remain in custody until the family court issues a decision on the petition;
- (6) Adding a new part that requires the Judiciary, in consultation with the Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Public Defender, and Department of Health, to:
  - (A) Submit annual reports to the Legislature on the progress and effectiveness of the agreements establishing procedures for post-booking jail diversion programs in the first circuit for the next four years; and
  - (B) Submit monthly reports on the progress to date of the post-booking jail diversion programs in the first circuit beginning September 1, 2023;
- (7) Adding a new part to require and appropriate a blank amount of funds for the Department of Health to purchase, staff, and operate a statewide Hawaii Urgency Response Center;
- (8) Amending section 1 to reflect part I's amended purpose; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that the Senate Draft 1 of this measure contains numerous unspecified appropriation amounts. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it considers:

- (1) Inserting an appropriation amount of \$68,556 for fiscal year 2023-2024 and \$71,016 for fiscal year 2024-2025 for a law clerk for the Judiciary as provided for in section 6 of this measure;
- (2) Working with the Department of Health on an appropriation amount for the additional resources provided for in section 7 of this measure;
- (3) Inserting an appropriation amount of \$10,000,000 for fiscal years 2023-2024 and 2024-2025 for the Department of Health to establish and operate a statewide Hawaii Urgency Response Center as provided for in section 24 of this measure;
- (4) Inserting an appropriation amount of \$915,000 for fiscal years 2023-2024 and 2024-2025 for the Department of Health to staff a statewide Hawaii Urgency Response Center as provided for in section 25 of this measure; and
- (5) Inserting an appropriation amount of \$60,912 for fiscal year 2023-2024 and \$63,096 for fiscal year 2024-2025 for the Judiciary to restore funding for probation officer services for the mental health court as provided in section 27 of this measure.

Further, your Committees respectfully request:

- (1) The Judiciary, Department of Health, and Department of Public Safety to examine the necessary staffing and resources to implement the telehealth requirements in part I of this measure for the appropriations in sections 8, 9, and 10 of this measure; and
- (2) The Department of Health to evaluate the necessity and costs of county-based behavior health crises centers for the appropriation in section 22 of this measure.

As affirmed by the records of votes of the members of your Committees on Judiciary and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1442, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1442, 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, none.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 1365 Commerce and Consumer Protection on H.B. No. 525**

The purpose and intent of this measure is to implement the 2022 Uniform Commercial Code Amendments set forth by the Uniform Law Commission.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Legislation. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Uniform Commercial Code provides a set of laws for broad categories of commercial transactions including the sale or lease of goods, negotiable instruments, bank deposits and collections, funds transfers, letters of credit, documents of title, investment property, and secured transactions in personal property. The Uniform Commercial Code has been adopted, in part, by all fifty states and the District of Columbia. In 2022, the Uniform Commercial Code was amended to reflect the economy's shift towards services, software, and information-based transactions. This measure adopts the Uniform Commercial Code's amendments, updating the State's law to reflect the current economy.

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 H.B. No. 525, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 525, H.D. 2, 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 (Fukunaga).

**SCRep. 1366 Commerce and Consumer Protection on H.B. No. 159**

The purpose and intent of this measure is to exempt renewals of liquor licenses from the application notarization requirement.

Your Committee received testimony in support of this measure from the Liquor Commission of the City and County of Honolulu, Department of Liquor Control of the County of Kauai, Retail Merchants of Hawaii, Craft 'Ohana, Kauai Beer Company, Big Island Brewhaus LLC, Honolulu Beerworks, Waikiki Brewing Company, Maui Chamber of Commerce, and two individuals.

Your Committee finds that existing law requires initial reapplications for liquor licenses to be notarized. Your Committee finds that once a licensee has been approved, it is unnecessary to require notarization on a license renewal application when the licensee is already licensed. However, existing law also requires licensees to notarize license renewal applications. Your Committee finds that this requirement is not only unnecessary, but also hinders the counties' efforts to switch to electronic license renewals. This measure removes the notarization requirement for liquor license renewals, thus streamlining the application process.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 159, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 159, 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 (Fukunaga).

**SCRep. 1367 Commerce and Consumer Protection on H.B. No. 647**

The purpose and intent of this measure is to expand and make consistent the definition of "beer" under the State's liquor tax and liquor regulatory laws.

Your Committee received testimony in support of this measure from Kauai Beer Company; Big Island Brewhaus; Honolulu Beerworks; Craft 'Ohana; Lanikai Brewing Company; Waikiki Brewing Company; Pacific Business Advocates, LLC; Kauai Island Brewing Company; and one individual. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that under existing law, the term "beer" is defined as any beverage obtained by the alcoholic fermentation of barley or other grain, malt, and hops. However, under federal Alcohol and Tobacco Tax and Trade Bureau regulations, both malt-based and sugar-based hard seltzers are considered "beer". The federal definition of beer reflects current standards in the craft beer brewing industry, as craft brewers have created a wider range of beer styles with a variety of additional ingredients in their recipes including other types of grains as base ingredients, other fermentable sugar sources, and brewed hard seltzers. This measure aligns the term "beer" as defined in State law to more closely follow the definition used for "beer" under the Internal Revenue Code, federal regulations, and standards in the craft beer brewing industry to promote expanded local production opportunities.

Your Committee acknowledges the concerns raised in testimony that certain amendments made to the definition of "beer" by this measure are potentially ambiguous and unnecessarily limiting. Your Committee also notes the concern raised in testimony that certain spirits based, ready-to-drink beverages containing a low percentage of alcohol by volume are taxed at a rate more than six times higher than malt beverages and beer with similar alcohol by volume. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Inserting a definition of "low alcohol by volume spirits beverage";
- (2) Clarifying that the definition of "beer" includes beer obtained by the fermentation of other fermentable sugar sources;
- (3) Deleting the specific reference to "alcoholic seltzer beverages" from the definition of "beer";

- (4) Inserting language establishing a tax for low alcohol by volume spirits beverages at a rate of \$1.98 per wine gallon; 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 H.B. No. 647, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 647, 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 (Fukunaga).

**SCRep. 1368 Commerce and Consumer Protection on H.B. No. 933**

The purpose and intent of this measure is to appropriate funds and require the Public Utilities Commission to use moneys in the Universal Service Fund to provide free telecommunications access to certain information for individuals with a print disability.

Your Committee received testimony 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, National Organization of Parents of Blind Children – Hawaii, and seven individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Public Utilities Commission, and Hawaiian Telcom.

Your Committee finds that the lack of timely access to information can be a daily problem for several thousand residents in the State who cannot see or use standard print as their primary form of communication. These residents are at an information deficit in keeping up with current events or opportunities that may benefit them. Accessible formats provide information in an alternative manner or form that gives persons with print disabilities access to information that is equivalent to access for a person without a disability. Accessible formats include: a free telephone service that offers state and local government information, including public notices, and other important information such as daily newspapers, magazines, emergency alerts, job opportunities, and other timely content; and the conversion of printed information into an audio format, Braille, or both. This measure will ensure that persons with print disabilities have greater access to information in alternative, accessible formats.

Your Committee acknowledges the concerns raised in testimony that the Universal Service Fund has never been active and currently has no funds. Your Committee further acknowledges the concerns raised in testimony that the Public Utilities Commission does not have explicit or specific authorization to expend funds for the Universal Service Fund program as part of its budget ceiling. As such, funding for free telecommunications access to certain information for individuals with a print disability must instead come from the State's general funds. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required the Public Utilities Commission to use funds from the Universal Service Fund to provide the services required by this measure;
- (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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 933, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 933, 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 (Fukunaga).

**SCRep. 1369 Higher Education on H.B. No. 554**

The purpose and intent of this measure is to:

- (1) Require the University of Hawaii to ensure that any individual who participates in implementing the University's disciplinary process has training or experience in handling sexual misconduct complaints and the University's disciplinary process;
- (2) Require the University of Hawaii to provide mandatory annual trauma-informed, gender-inclusive, LGBTQ+-inclusive sexual misconduct primary prevention and awareness programming for University students and employees;
- (3) Prohibit the University of Hawaii from taking disciplinary action against individuals reporting sexual misconduct, unless certain exceptions apply; and
- (4) Establish and appropriate funds for four full-time equivalent (4.0 FTE) positions within the University of Hawaii.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, University of Hawai'i System, Hawai'i State Coalition Against Domestic Violence, Women's Caucus of the Democratic Party of Hawai'i, Education Caucus of the Democratic Party of Hawai'i, American Association of University Women of Hawaii, The Every Voice Coalition, Stonewall Caucus of the Democratic Party of Hawai'i, Imua Alliance, and twenty individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that evidence-based training on sexual assault prevention and response empowers all members of a community to take action to stop sexual violence. According to testimony received by your Committee, one in three transgender or nonbinary University of Hawaii students experience sexual harassment, and students with disabilities are at least two times more likely than their peers without disabilities to experience sexual harassment. Therefore, your Committee believes it imperative that certain



training programs be culturally accessible, trauma-informed, and inclusive of underserved and vulnerable populations. This measure supports the implementation of inclusive and trauma-informed sexual misconduct prevention and awareness programming for University of Hawaii students and employees to ensure a safe environment for all.

Furthermore, according to testimony received by your Committee, a recent survey found that a significant number of students who experienced gender-based violence did not report it to the University of Hawaii because they feared retaliation or discipline by the University. This measure further supports victims by prohibiting disciplinary action against individuals who report sexual misconduct.

Your Committee notes the concerns raised by the University of Hawai'i System that this measure, as currently written, may cause unintended consequences due to its overly broad language. In particular, the University notes the scope of immunity against disciplinary action that students or witnesses reporting sexual misconduct who ask for an investigation are entitled to under this measure and the inclusion of all forms of sex-based discrimination in the definition of "sexual misconduct". Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have prohibited the University of Hawaii from subjecting a reporting party or witness who asks for an investigation of sexual misconduct to a disciplinary proceeding or sanction for a violation of the University's policy related to trespassing or unauthorized entry of University facilities, or other violations of University policy or the University's code of conduct, under certain circumstances;
- (2) Deleting language that would have allowed the University of Hawaii to subject a reporting party or witness who asks for an investigation of sexual misconduct to a disciplinary proceeding or sanction for an egregious violation of University policy or the University's code of conduct;
- (3) Deleting language that would have included in the definition of "sexual misconduct" incidences of stalking, harassment, and gender-based harassment or violence not otherwise included in the definition;
- (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 Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 554, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 554, 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, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1370 (Joint/Majority) Commerce and Consumer Protection and Transportation and Culture and the Arts on H.B. No. 1415**

The purpose and intent of this measure is to appropriate funds and require the Public Utilities Commission (PUC) to administer an Electric Vehicle Charging System Loan Program to provide loans to applicants who install eligible electric vehicle charging systems.

Your Committees received testimony in support of this measure from the Public Utilities Commission, Big Island Electric Vehicle Association, Ulupono Initiative, Climate Protectors Hawai'i, 350Hawaii.org, Hawaii Electric Vehicle Association, 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 although there are now over twenty-two thousand electric vehicles in the State, this number represents only two percent of the State's passenger vehicles. Hawaii drivers consume over thirty million gallons of gasoline each month. This translates into a massive carbon footprint and highlights the State's dependence on energy imports and the security risks that this presents. The transition to clean transportation must be equitable for the State to achieve its decarbonization goals. This measure will reduce the cost burden of installing home charging equipment and help make the transition to a clean energy future possible for everyone, regardless of income.

Your Committees acknowledge the concerns raised in testimony that this measure, as currently drafted, does not authorize the PUC to design the Electric Vehicle Charging System Loan Program and provides the PUC with little flexibility to administer the program. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language authorizing the PUC to design the Electric Vehicle Charging System Loan Program and providing the PUC with greater flexibility to administer the program;
- (2) Deleting language that would have prohibited a person from receiving both an electric vehicle charging system loan recipient and electric vehicle charging system rebate;
- (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 Commerce and Consumer Protection and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1415, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1415, 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, 2. Noes, 1 (Awa). Excused, 2 (Fukunaga, Richards).

Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Inouye).

**SCRep. 1371 (Joint) Higher Education and Public Safety and Intergovernmental and Military Affairs on H.B. No. 67**

The purpose and intent of this measure is to appropriate funds for the establishment of three full-time equivalent (3.0 FTE) positions for the University of Hawaii Windward Community College's Pu'uhonua Program.

Your Committees received testimony in support of this measure from the Department of Public Safety, University of Hawai'i System, Kahalu'u Neighborhood Board No. 29, Community Alliance on Prisons, Hawai'i Friends of Restorative Justice, Ko'olaupoko Hawaiian Civic Club, and eleven individuals.

Your Committees find that completing college coursework while incarcerated significantly benefits incarcerated individuals, the carceral environment, and society as a whole. In recognition of these benefits, the University of Hawaii Windward Community College established the Pu'uhonua Program (Program) to offer credit-bearing college coursework and support services to incarcerated individuals. Since the Program's establishment in 2017, two hundred eighteen students have enrolled in college coursework, collectively earning over one thousand college credits and thirteen certificates. While the Program continues to experience strong engagement from students each year, the nonrenewable federal extramural funding supporting the Program and its staff will expire in 2023. Therefore, this measure appropriates funds for counselor and coordinator positions within the University of Hawaii Windward Community College's Pu'uhonua Program to support the educational development of the State's incarcerated individuals.

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 Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 67, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 67, 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).

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1372 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on H.B. No. 406**

The purpose and intent of this measure is to:

- (1) Require the Department of Health and Oahu Regional Health Care System to develop a strategic plan for the utilization of all Oahu Regional Health Care System facilities and report to the Legislature before the Regular Session of 2024;
- (2) Extend the deadline to assimilate the Daniel K. Akaka State Veterans Home from the Department of Defense to the Oahu Regional Health Care System to June 30, 2024; and
- (3) Require the Oahu Regional Health Care System and the Department of Defense to provide a joint progress report to the Legislature regarding construction of and the hiring of an operator for the Daniel K. Akaka State Veterans Home before the Regular Session of 2024.

Your Committees received testimony in support of this measure from the Hawaii Health Systems Corporation Oahu Region. Your Committees received comments on this measure from the Department of Health, Department of Defense Office of Veterans' Services, and one individual.

Your Committees find that the Daniel K. Akaka State Veterans Home (Veterans Home), a facility planned to provide long-term care for veterans, their spouses, and gold-star parents in the Kapolei area of the island of Oahu, has been under construction by the Department of Accounting and General Services and Department of Defense with an expected completion date of spring 2023. Your Committees further find that Act 285, Session Laws of Hawaii 2022, required the Veterans Home to be assimilated into the Oahu Regional Health Care System by June 30, 2023. Your Committees find however, that the effects of the coronavirus disease 2019 pandemic has resulted in the expected completion date of Veterans Home being pushed back to sometime in 2024. This measure accommodates this unexpected delay by extending the assimilation deadline and requires a progress report on the construction of, and the hiring of an operator for, the Veterans Home.

Your Committees commend the efforts of the Department of Defense and Hawaii Health Systems Corporation Oahu Region in the execution of a Memorandum of Agreement pertaining to their responsibilities associated with the assimilation deadline. Your Committees note that this measure merely extends the assimilation deadline and does not require them to await completion of the assimilation if they are able to do so before the extended deadline provided by this measure.

Your Committees also acknowledge testimony of the Oahu Regional Health Care System regarding its proposed joint venture with the Emergency Medical Services Department of the City and County of Honolulu to help alleviate the waitlist issues being faced by acute care facilities throughout Oahu by repurposing unused space on its Leahi Hospital campus to provide medical services and transitional housing for certain lower acuity patients. Your Committees note the additional capital improvement funding request of \$1,000,000 by the Oahu Regional Health Care System, which is its half of the total funds necessary to complete the construction of a transitional treatment and housing facility at the Leahi Hospital campus, with the remainder to be covered by the City and County of Honolulu. Therefore, amendments to this measure are necessary to accommodate this request.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language that appropriates \$1,000,000 to the Hawaii Health Systems Corporation Oahu Region (HTH 215) for the capital improvement project to construct a transitional treatment and housing facility on the Leahi Hospital campus; provided that no funds shall be expended unless matched on a dollar-for-dollar basis by funds from the City and County of Honolulu; and
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of June 30, 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 and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 406, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 406, 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 and Human Services: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1373 (Joint) Health and Human Services and Transportation and Culture and the Arts on H.B. No. 1201**

The purpose and intent of this measure is to:

- (1) Establish noise generated by helicopters exceeding a certain decibel level as a public nuisance and a source of noise pollution in violation of the State's noise pollution law;
- (2) Establish fines for any owner or operator of a helicopter in violation;
- (3) Establish a private right of action, allowing any aggrieved person to bring a civil action against the owner or operator of the helicopter in violation and collect damages and litigation costs; and
- (4) Establish exceptions for:
  - (A) Helicopters owned or operated by a government agency or organization or used to supply emergency services; and
  - (B) Violations that occur within a certain radius of an airport.

Your Committees received testimony in support of this measure from one individual. Your Committees received testimony in opposition to this measure from the Department of the Attorney General, Aircraft Owners and Pilots Association, and Helicopter Association International. Your Committees received comments on this measure from the Department of Health and Department of Transportation.

Your Committees find that excessive noise can adversely affect an individual's health and quality of life and can cause stress-related illnesses, high blood pressure, speech interference, hearing loss, sleep disruption, and lost productivity. Your Committees further find that helicopters have become a significant source of noise pollution in the State. This measure addresses this issue by establishing a maximum allowable decibel level for noise generated by helicopters and setting fines and private rights of action for violations, with certain exceptions.

Your Committees acknowledge the concerns raised in testimony that this measure may be subject to constitutional challenge and be preempted by federal law, as regulation of air traffic and relating noise fall under the exclusive jurisdiction of the federal government pursuant to the Federal Aviation Act. However, your Committees believe that the private citizen has a right as a private attorney general to pursue and enforce existing laws. Therefore, it is necessary to amend this measure to address these issues.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have:
  - (A) Established noise generated by helicopters exceeding a certain decibel level as a public nuisance and a source of noise pollution in violation of the State's noise pollution law;
  - (B) Established fines for any owner or operator of a helicopter in violation; and
  - (C) Established exceptions for violations that occur within a certain radius of an airport;
- (2) Clarifying that any person who is aggrieved by a violation of the Federal Aviation Act and existing federal laws shall have a private right of action and may bring a civil action against the owner or operator of the helicopter;
- (3) Inserting an effective date of June 30, 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 and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1201, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1201, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4; Ayes with Reservations (Moriwaki). Noes, none. Excused, 1 (Shimabukuro).

Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1374 Education on H.B. No. 388**

The purpose and intent of this measure is to:

- (1) Adopt the National Instructional Materials Accessibility Standard; and
- (2) Require the Department of Education to obtain instructional materials in accessible formats for eligible students.

Your Committee received testimony 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, National Organization of Parents of Blind Children Hawaii, and eighteen individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that providing appropriate instructional materials for all students, including accessibility to appropriate instructional materials for students with disabilities, allows all students an equal opportunity to achieve academic success. Presently, the Department of Education adheres to the National Instructional Materials Accessibility Standard and coordinates with the National Instructional Materials Access Center to provide accessible instructional materials for students. However, existing state law pertaining to instructional materials requires publishers to adhere to requirements that are outdated due to technological advancements. This measure conforms state requirements with federal law to ensure all students have timely access to instructional materials in appropriate accessible formats.

Your Committee has amended this measure by:

- (1) Amending the definition of “print instructional materials” to include:
  - (A) Digital instructional materials obtained in an appropriate accessible format for an eligible student; or
  - (B) Materials that can be provided by the National Instructional Materials Access Center in a valid National Instructional Materials Accessibility format;
- (2) Authorizing, rather than requiring, the Department of Education to enter into a written contract with a publisher of print instructional materials to prepare and provide the National Instructional Materials Access Center electronic files containing the contents of the print materials;
- (3) Authorizing the Department of Education to purchase new or innovative start-up instructional materials or instructional materials published by a Hawaii-based publisher on a pilot basis for up to one calendar year;
- (4) Requiring the eligible student’s individualized education program to identify the print instructional materials and other instructional materials, including but not limited to textbooks, articles, handouts, posters, bulletin boards, maps, charts, graphics, audio-visual presentations, digital instructional materials, and all other printed materials available to students in elementary and secondary classrooms, and other instructional materials to be used by students without disabilities; 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 H.B. No. 388, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 388, 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 (Richards).

**SCRep. 1375 Education on H.B. No. 503**

The purpose and intent of this measure is to:

- (1) Require the Board of Education to work with the Department of Education to conduct an analysis on the need, impact, and feasibility of making computer science a graduation requirement;
- (2) Require the Board of Education to determine whether making computer science a graduation requirement would be in the best interests of public school students and the public;
- (3) Require a report to the Legislature; and
- (4) Appropriate funds for teacher professional development in computer science.

Your Committee received testimony in support of this measure from HawaiiKidsCAN, Chamber of Commerce Hawaii, Code.org, Purple Mai’a Foundation, TechNet, 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 Education and Board of Education.

Your Committee finds that computer science skills have become increasingly foundational to quality academic and career success. As a rapidly growing field, computer science and related skills provide increased job opportunities within the technology industry. Additionally, computer skills beyond basic technology literacy courses have become commonplace in the workplace, making basic computer science knowledge foundational for professionals. This measure solidifies the State’s commitment to computer science education by preparing Hawaii’s keiki for twenty-first century academic and career pathways.

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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 503, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 503, 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 (Richards).

**SCRep. 1376 Education on H.B. No. 960**

The purpose and intent of this measure is to:

- (1) Transfer \$200,000,000 of general funds previously appropriated to the School Facilities Authority of the Department of Education to the School Facilities Special Fund; and
- (2) Appropriate an unspecified amount of funds out of the School Facilities Special Fund for the School Facilities Authority to expand access to eligible children for pre-kindergarten.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor, School Facilities Authority, Executive Office on Early Learning, Early Learning Board, University of Hawai'i System, Hawaii State Teachers Association, Hui for Excellence in Education, and Kamehameha Schools. Your Committee received comments on this measure from the Department of Budget and Finance and Department of the Attorney General.

Your Committee finds that pre-kindergarten programs offer Hawaii's youngest keiki the opportunity to begin their educational journeys while also undergoing critical stages of development. However, there is a shortage of available classroom space to support current demand for pre-kindergarten programs. This measure provides the School Facilities Authority with flexibility to ensure pre-kindergarten facilities are available across the State to support the education, welfare, and economic future of Hawaii's working families.

Your Committee has amended this measure by clarifying that the appropriation into and out of the School Facilities Special Fund shall be for fiscal year 2023-2024, rather than fiscal year 2022-2023.

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. 960, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 960, 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. 1377 Education on H.B. No. 961**

The purpose and intent of this measure is to:

- (1) Appropriate funds for the Preschool Open Doors Program and Executive Office on Early Learning to expand access to preschool and to implement program changes required by previous acts;
- (2) Expand the types of entities from which a Preschool Open Doors service provider may obtain accreditation;
- (3) Expand the Preschool Open Doors Program application process to eligible three-year-old children; and
- (4) Authorize the Preschool Open Doors Special Fund to receive federal funds.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor, Department of Human Services, Early Learning Board, Executive Office on Early Learning, University of Hawai'i System, Hawaii Children's Action Network Speaks!, Hui for Excellence in Education, Hawai'i Association of Independent Schools, Stonewall Caucus of the Democratic Party of Hawaii, Early Childhood Action Strategy, Parents and Children Together, Chamber of Commerce Hawaii, Commit to Keiki, Kamehameha Schools, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that access to preschool is a social justice issue for the State as pre-kindergarten programs are key in preparing Hawaii's keiki for future academic, social, and career success. This year, the State launched the Ready Keiki Initiative, a multi-faceted plan to expand high-quality childcare and pre-kindergarten programs for three- and four-year-old students by 2032. To ensure the success of the Ready Keiki Initiative, expansion of the Preschool Open Doors Program, additional opportunities and pathways for educators, and additional classroom space are needed to support increased demand. This measure provides critical support to the Preschool Open Doors Program and to enable receipt of federal funding to ensure Hawaii's keiki are prepared and ready to learn.

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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 961, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 961, 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. 1378 Education on H.B. No. 1046**

The purpose and intent of this measure is to:

- (1) Replace the term "school health aides" with "school health assistants" to reflect recent changes to the job title; and

- (2) Authorize the administration of medication to public school students by school health assistants with the approval of a health care professional within the Department of Education, the Department of Health, or a health care service pursuant to a written agreement with the Department of Education.

Your Committee received testimony in support of this measure from the Department of Education, Department of Health, University of Hawai'i System, Hawai'i State Center for Nursing, and Epilepsy Foundation of Hawaii. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that providing high quality student health care during school hours allows students to receive timely treatments on site and minimize time spent away from the classroom. Presently, all medication requests in a public school setting are reviewed and require approval by the Department of Health. Additionally, current law prevents health care professionals who are already on campus from performing the function of medication administration approval. This measure streamlines the process for health care administration in Department of Education schools to ensure all students have access to needed medication.

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 H.B. No. 1046, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1046, 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, 4. Noes, none. Excused, 1 (Richards).

**SCRep. 1379 Education on H.B. No. 1329**

The purpose and intent of this measure is to:

- (1) Require the Department of Education to work with certain organizations to develop and implement an active shooter training program in all public schools under the jurisdiction of the Department of Education; and
- (2) Exempt public school students from participation in an active shooter training program of the Department of Education.

Your Committee received testimony in support of this measure from the Department of Education, Department of Law Enforcement, State Public Charter School Commission, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that providing increased security and training in Hawaii's schools can help create safer learning environments for students. However, the majority of public schools in the State are constructed in a distinct open-air setting, which may pose an array of security concerns for school administrators and law enforcement. While the Department of Education has collaborated with and continues to work with local and federal law enforcement and its contracted active shooter training vendor, the recent unprecedented increase in school shootings nationwide has created an urgent need to enhance the Department of Education's commitment to provide a robust active threat training program. This measure creates additional safety measures for Department of Education schools to protect Hawaii's keiki.

Your Committee has amended this measure by:

- (1) Clarifying that charter schools shall also be included in the Department of Education's active shooter training program; and
- (2) Amending section 1 to reflect its amended purpose.

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. 1329, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1329, 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 (Richards).

**SCRep. 1380 Education on H.B. No. 1412**

The purpose and intent of this measure is to:

- (1) Prohibit any contract or license agreement between a publisher and library in the State from precluding, limiting, or otherwise restricting the library from performing customary operational and lending functions; restricting the library from disclosing any terms of its license agreements to other libraries; and requiring, coercing, or enabling a library to violate rules regarding confidentially of a patron's library records; and
- (2) Deem contracts that contain prohibited provisions an unfair or deceptive act or practice and void and unenforceable.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Public Library System, and two individuals. Your Committee received testimony in opposition to this measure from the Association of American Publishers, Inc.; The Yellowkeed Corporation; Bess Press, Inc.; Independent Book Publishers Association; Left Coast Creative, Inc.; Copyright Alliance; The Authors Guild; and thirty-one individuals. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that the digital resource landscape is rapidly changing, creating new licensing models that are being developed and offered by publishers. Digital books have become a vital part of library collections across the State, with over one

million digital books in circulation within the Hawaii State Public Library System. However, certain licensing models are prohibitive, as publishers may place embargoes on the release date of high demand titles for digital copies offered at public libraries. Additionally, publishers may charge higher fees for leases of digital copies, rather than rights to ownership, that are four to five times higher than traditional physical copies. This measure maintains the diversity of books available at public libraries while also providing equitable access to digital books for Hawaii residents.

Should your Committee on Judiciary choose to deliberate on this measure, your Committee respectfully requests that it consider intellectual property and copyright law concerns raised by the Department of the Attorney General. Additionally, your Committee respectfully requests your Committee on Judiciary to also consider any potential litigation concerns regarding this measure.

Your Committee has amended this measure by:

- (1) Deleting academic libraries, research libraries, and special libraries from the definition of “library”;
- (2) Prohibiting a library from producing a printed copy of electronic literary material purchased by a library;
- (3) Inserting language to exempt any existing contracts that are currently in force providing libraries with electronic literary products from vendors and aggregators from the provisions of this measure; 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 H.B. No. 1412, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1412, 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 (Richards). Noes, none. Excused, 1 (Fevella).

**SCRep. 1381 (Joint) Higher Education and Education on H.B. No. 1204**

The purpose and intent of this measure is to establish and appropriate funds for the Public Education Scholarship Program within the University of Hawaii to pay for a participant’s University tuition in return for the participant’s commitment to teach in a public school or public charter school classroom in the State.

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, University of Hawaii Professional Assembly, Education Caucus of the Democratic Party of Hawai’i, and one individual.

Your Committees find that the Department of Education struggles to attract and retain teachers in the State’s public schools. Teachers in Hawaii receive some of the lowest salaries in the nation once adjusted for the State’s high cost of living. Additionally, teachers often use personal funds to pay for teaching and classroom supplies. These financial hardships disincentive individuals from pursuing teaching careers, especially since many students graduate from university in debt. This measure offers individuals a debt-free university education in exchange for a postgraduate teaching commitment to help increase the recruitment and retention of teachers in the State.

Your Committees recognize that many factors beyond the cost of higher education contribute to the State’s teacher shortage. While the tuition waiver proposed by this measure is not a panacea, your Committees believe it is imperative that every possible avenue be pursued to support the recruitment and retention of teachers in the State. To understand the efficacy of the tuition waiver proposed by this measure in increasing recruitment and retention, systems must be developed to monitor recipient outcomes. Your Committees note, per discussion with the Department of Education, that the Department does not have an automated system in place to track the number of years an individual completing a service commitment has taught in a Department classroom. Without an efficient method of monitoring service completion, the Department of Education would be unable to collect tuition repayments from Public Education Scholarship Program recipients who fail to fulfill their service commitment. Given that the University of Hawaii has historically struggled to collect tuition monies from its students, your Committees stress the importance of the Department of Education and the University of Hawaii developing systems to monitor Public Education Scholarship Program recipients as they complete their baccalaureate degrees and fulfill their service commitments.

Your Committees have amended this measure by:

- (1) Specifying that a student must be a state resident to qualify for the Public Education Scholarship Program;
- (2) Prohibiting a recipient from receiving more than an unspecified amount of funds from the Public Education Scholarship Program;
- (3) Specifying that the service commitment to teach in certain classrooms required by the Public Education Scholarship Program shall not exceed seven years within the ten years following graduation and licensure; 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 Higher Education and Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1204, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1204, 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 (Fukunaga).

Education: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1382      Judiciary on H.B. No. 382**

The purpose and intent of this measure is to appropriate moneys for the Judiciary for the fiscal biennium that begins on July 1, 2023, and ends on June 30, 2025.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, Hawaii State Bar Association Appellate Section, Hawaii State Bar Association Collection Law Section, Hawaii Access to Justice Commission, Legal Aid Society of Hawaii, Maui County Bar Association, Volunteer Legal Services Hawaii, and one individual.

Your Committee received comments on this measure from the Domestic Violence Action Center.

Your Committee finds that the appropriations made by this measure are intended to assist the Judiciary in its efforts to fulfill its constitutional and statutory duties during the 2023-2025 fiscal biennium.

Your Committee notes that the Judiciary indicated in its testimony that this measure and its related budget worksheets inadvertently reflect an incorrect number of authorized permanent positions for JUD601 (Administration). Your Committee has amended this measure to accurately reflect two hundred twenty-eight full-time equivalent (228.0 FTE) permanent positions. However, your Committee notes that the corresponding budget worksheets also must be amended to correct this error and requests that your Committee on Ways and Means make the corresponding corrections.

Your Committee also notes the testimony of the Domestic Violence Action Center, which requested that the amount of moneys available for nonprofit organizations providing legal and social services procured through purchase of service contracts be increased by five percent, to ensure that these entities have sufficient funds to meet the costs of doing business in the State and to further ensure that these organizations are able to recruit and retain qualified staff members. Accordingly, your Committee has amended this measure to increase the appropriation for JUD601 (Administration) by \$447,207, to meet this need. These additional funds are intended for nonprofit organizations providing legal and social services throughout the Judiciary, and your Committee notes that your Committee on Ways and Means may need to adjust this figure or redistribute the funds across other program IDs throughout the Judiciary as needed.

Your Committee has further amended this measure by:

- (1) Increasing the amount appropriated to the Third Circuit in each fiscal year of the biennium by \$75,000 to fund the Zero to Three Court;
- (2) Increasing the amount appropriated to the First Circuit (JUD310) by \$618,000 for fiscal year 2023-2024 and \$622,000 for fiscal year 2024-2025 to:
  - (A) Establish one new First Circuit district court judge position and three new support staff positions; and
  - (B) Restore funding for a First Circuit Court judge position and an Adult Client Services Branch judicial clerk position;
- (3) Increasing the number of permanent full-time equivalent positions authorized for the First Circuit to reflect the four new positions;
- (4) Increasing the appropriation amounts to the Fifth Circuit (JUD350) by \$61,000 in fiscal year 2023-2024 and \$63,000 in fiscal year 2024-2025 to restore funding for a social worker position;
- (5) Increasing the amount of general obligation bond funds authorized for the Kaahumanu Hale elevator upgrade and modernization project by \$5,000,000;
- (6) Removing from the measure \$6,000,000 of general obligation bond funds authorized for the Children's Justice Center, Oahu;
- (7) Changing the amount of general obligation bonds authorized for issuance to reflect the amended capital improvement project authorizations; and
- (8) Changing the effective date to 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. 382, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 382, 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. 1383      Commerce and Consumer Protection on H.B. No. 351**

The purpose and intent of this measure is to establish a nonrefundable income tax credit for owners of condominium units whose association is increasing maintenance fees to comply with a county ordinance requiring an automatic fire sprinkler system or alternative fire prevention and fire safety system.

Your Committee received testimony in support of this measure from four individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that due to a City and County of Honolulu ordinance, certain condominiums are required to make fire safety upgrades unless the condominium meets specified exceptions. These fire safety upgrades can cost a condominium association millions of dollars and, as a result, force it to drastically increase its maintenance fees on the unit owners. This measure will provide some financial relief to condominium unit owners who have incurred extra maintenance fees to make their condominiums safer.

Your Committee notes the concerns raised in testimony that condominium boards can also raise money for fire safety upgrades by imposing special assessments on unit owners; however, this measure as currently drafted provides tax credits for increases in maintenance fees only. Your Committee also notes the testimony of the Department of Taxation, proposing amendments that would



facilitate the administration of the tax credit created by this measure. Therefore, amendments to this measure are necessary to address these matters.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the tax credit established by this measure shall also apply to a qualified taxpayer who is an owner of a unit whose condominium association is imposing a special assessment to comply with a county ordinance requiring an automatic sprinkler system or alternative fire prevention and fire safety system;
- (2) Inserting language requiring the Department of Taxation to certify the tax credits established by this measure;
- (3) Inserting language to apply the tax credit to taxable years beginning after December 31, 2023; 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 351, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 351, 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; Ayes with Reservations (McKelvey, Richards). Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1384 (Joint) Commerce and Consumer Protection and Agriculture and Environment on H.B. No. 1250**

The purpose and intent of this measure is to:

- (1) Impose labeling requirements for mamaki tea grown in the State; and
- (2) Appropriate funds to the Department of Agriculture to administer the mamaki tea labeling requirements.

Your Committees received testimony in support of this measure from the Department of Agriculture, Hawai'i Farmers Union United, Hawai'i Farm Bureau, Hawai'i Sustainable Farms, and three individuals.

Your Committees find that mamaki is a plant that is endemic to Hawaii. The leaves of mamaki can be brewed into an herbal tea that is high in anti-oxidants and has a number of health benefits, such as helping to reduce high blood pressure. The mamaki tea industry is a new, yet quickly growing industry. This measure protects the mamaki tea industry from deceptive or misleading labeling.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1250, 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.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1385 Transportation and Culture and the Arts on H.B. No. 478**

The purpose and intent of this measure is to appropriate funds for the State Foundation on Culture and the Arts Artist Fellowship Program for the awarding of one-time fellowships to promising artists.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts; Sounding Joy Music Therapy, Inc.; Hawai'i Arts Alliance; and eight individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that from 1995 to 2008, the State Foundation on Culture and the Arts provided fellowships in the areas of visual and performing arts. However, the State Foundation on Culture and the Arts has only recently restarted its program to recognize artists, cultural practitioners, and teaching artists across the State. Additionally, the visual and performing arts communities continue to face challenges from the coronavirus disease 2019 pandemic. This measure recognizes and celebrates the State's rich cultural landscape by supporting and encouraging the works and artistic endeavors of individuals who contribute to the artistic heritage and economic health of the State.

Your Committee has amended this measure by:

- (1) Specifying the qualifications of commission members to the State Foundation on Culture and the Arts Commission;
- (2) Requiring the commission to have at least one member with a background or experience in each of the following:
  - (A) Needs of public education;
  - (B) Neighbor island communities;
  - (C) Native Hawaiian culture and diversity; and
  - (D) Urban design and public infrastructure;
- (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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 478, H.D. 1, as amended herein, and recommends that

it pass Second Reading in the form attached hereto as H.B. No. 478, 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. 1386 (Joint) Transportation and Culture and the Arts and Agriculture and Environment on H.B. No. 1406**

The purpose and intent of this measure is to:

- (1) Require that asphalt removed from roads and driveways be recycled;
- (2) Require the Department of Transportation to adopt rules regarding best practices for paving projects, asphalt processing, and asphalt disposal; and
- (3) Require the Department of Health to designate asphalt storage sites or develop a centralized asphalt state processing and storage facility.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Climate Protectors Hawai'i, and three individuals. Your Committees received testimony in opposition to this measure from the Department of Design and Construction of the City and County of Honolulu, Hawaii Asphalt Paving Industry, and General Contractors Association of Hawaii. Your Committees received comments on this measure from the Department of Transportation and Department of Health.

Your Committees find that asphalt is a petroleum-based product that has become integral to the State's transportation infrastructure. The Department of Transportation has already published a Construction Best Management Practices Field Manual, last updated in 2021, which provides guidance on stockpile management to prevent release of old asphalt into the environment. However, further addressing the proper disposal of asphalt, including recycling, will protect the State's finite natural resources. While your Committees support the recycling of asphalt, your Committees find that further study is necessary at this time.

Accordingly, your Committees have amended this measure by deleting its contents and inserting language that requires the Department of Transportation to complete a two-year study to maximize usage of recycled asphalt, including a determination of water retention and permeability of recycled asphalt, and report to the Legislature prior to the Regular Session of 2025.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1406, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1406, 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.  
Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.  
Agriculture and Environment: Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.

**SCRep. 1387 Transportation and Culture and the Arts on H.B. No. 105**

The purpose and intent of this measure is to:

- (1) Require license plates to include 'okina in the word "Hawai'i"; and
- (2) Authorize the use of all uppercase letters, all lowercase letters, or initial capital letters in the words "Hawai'i" and "Aloha State" on license plates.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs.

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) Requiring license plates to include 'okina in the word "Hawai'i";
- (2) Establishing requirements for number plates issued for zero-emission, hybrid, and gasoline-powered vehicles beginning January 1, 2025; and
- (3) Requiring the continued use of the rainbow number plate design for hybrid and gasoline-powered vehicles.

Your Committee received testimony in opposition of the proposed S.D. 1 from the Department of Customer Services of the City and County of Honolulu.

Your Committee finds that the Hawaiian language is one of two official languages of the State. The diacritical markings of 'okina and kahakō provide necessary distinction in the appropriate pronunciation of words as the Hawaiian language evolved and transformed from predominantly spoken to written language. While the inclusion of 'okina in license plates represents a small step to recognizing 'Ōlelo Hawai'i, the incorporation of 'okina maintains the integrity of written and spoken forms of 'Ōlelo Hawai'i.

Your Committee further finds that the State is nearing the end of its current motor vehicle license plate numbering system. Additionally, your Committee finds that the proliferation of electric vehicles across the State has also caused the temporary electric vehicle numbering system to near the end of its respective system. Therefore, establishing requirements for zero-emission, hybrid, and gasoline-powered vehicles while also requiring the usage of 'okina in motor vehicle license plates recognize the State's commitment to sustainability goals and the cultural significance of 'Ōlelo Hawai'i.

Your Committee has amended this measure by:

- (1) Adopting the proposed S.D. 1; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 105, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 105, 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. 1388 Transportation and Culture and the Arts on H.B. No. 473**

The purpose and intent of this measure is to appropriate funds for the State Foundation on Culture and the Arts Creative Workforce Grant Program for the awarding of grants to eligible nonprofit arts and culture organizations to support the living wage of creative workers.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts; Sounding Joy Music Therapy, Inc.; Hawai'i Arts Alliance; Honolulu Printmakers; and nine individuals.

Your Committee finds that Hawaii's creative arts workforce of culture and arts organizations, individual artists, and cultural practitioners are an important and unique resource to Hawaii's economy and local communities. Creative workforce grants will provide support towards a living wage in the regional area where the creative worker performs their work, as some may face barriers to participation and employment in creative works industries. Additionally, supporting creative work through workforce grants will also support arts and cultural programming and projects that are publicly available and accessible. This measure supports artists, cultural practitioners, and other creative workers who contribute to the State's growing visual and performing arts sectors.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 473, 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. 1389 Transportation and Culture and the Arts on H.B. No. 480**

The purpose and intent of this measure is to:

- (1) Amend the definitions of "special interest vehicle", "street rod replica vehicle", and "street rod vehicle", for purposes of the Hawaii Highway Safety Act, to be based on the age of the vehicle or the parts used, rather than a certain year of manufacture; and
- (2) Require vehicles to meet the safety standards that were in effect at the time of manufacture.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that the popularity of street rod replica vehicles and street rod vehicles, also known as "classic cars", has grown in the State. However, owners of certain classic cars face challenges as existing law defines classic cars by year rather than age. This measure allows for more recent vehicles to be considered and treated as "street rod" vehicles while also ensuring the safety of both the vehicle and its user.

Your Committee has amended this measure by:

- (1) Establishing a task force to examine the motor vehicle safety inspection and motor vehicle registration processes in the State to determine requirements, qualifications, and streamlined processes that are simplified for consumers; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 480, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 480, 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. 1390 (Joint) Agriculture and Environment and Water and Land on H.B. No. 837**

The purpose and intent of this measure is to:

- (1) Establish green infrastructure objectives, policies, and priority guidelines for state facility systems, infrastructure, transit projects, and other areas in the Hawaii State Planning Act to improve the quality of life for residents and visitors;
- (2) Add a definition of "green infrastructure"; and
- (3) Require the Office of Planning and Sustainable Development, in partnership with the Greenhouse Gas Sequestration Task Force, to submit a report to the Legislature making recommendations for implementing the green infrastructure objectives, policies, and priority guidelines.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Climate Change Mitigation and Adaptation Commission, Office of Planning and Sustainable Development, Climate Future Forum, Climate Protectors Hawai'i, Hawai'i Reef and Ocean Coalition, and four individuals.

Your Committees find that green infrastructure is a crucial tool to reduce urban temperatures and carbon emissions, improve air quality, and capture water to replenish the water table. Green infrastructure measures include usage of plant or soil systems, permeable pavement, stormwater harvesting and reuse, or landscaping to conserve water. As the State's natural resources are finite and fragile, additional protection of natural resources is needed to adapt to climate change, coastal erosion, and sea level rise. This measure reaffirms the State's commitment to climate change mitigation and adaptation by prioritizing natural solutions to meet the State's objectives, policies, and goals.

Your Committees have amended this measure by:

- (1) Inserting an appropriation amount of \$150,000 for:
  - (A) The establishment of one full-time equivalent (1.0 FTE) policy analyst position, which shall be exempt from chapter 76, Hawaii Revised Statutes; and
  - (B) Program funding;
- (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 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. 837, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 837, 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. Noes, none. Excused, none.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

**SCRep. 1391 (Joint/Majority) Agriculture and Environment and Health and Human Services on H.B. No. 1326**

The purpose and intent of this measure is to:

- (1) Establish the Hawaii Zero Waste Initiative to, among other things, manage the State's transition to a zero solid waste economy;
- (2) Establish the Packaging Waste Advisory Council;
- (3) Require the Department of Health to develop an assessment of statewide needs to determine the resources required to reduce packaging waste by seventy percent from the baseline amount;
- (4) Require the Department of Health to establish a Packaging Waste Reduction and Reuse Program;
- (5) Establish the Packaging Waste Special Fund; and
- (6) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Health, Department of Budget and Finance, Hawai'i Climate Change Mitigation and Adaptation Commission, Council Chair of the Hawai'i County Council, one member of the Hawai'i County Council, Department of Environmental Management of the County of Hawai'i, Office of the Mayor of the County of Maui, Hawai'i State Association of Counties, Sierra Club of Hawai'i, Upstream, Hawai'i Alliance for Progressive Action, Zero Waste Kauai, Hawai'i Reef and Ocean Coalition, Climate Protectors Hawai'i, 350Hawaii, Wild Kids, Hawaii Environmental Change Agents Solid Waste Task Force, Zero Waste Hawai'i Island, NO POHO, Energy and Climate Action Committee and Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i, and thirty-four individuals. Your Committees received testimony in opposition to this measure from the Hawaii Food Manufacturers Association; American Chemistry Council; Ameripen; Flexible Packaging Association; The Toy Association; Hawaiian Host Group; Consumer Technology Association; Wine Institute; Consumer Brands Association; Foodservice Packaging Institute; FCH Enterprises; Triple F Holdings, LLC; American Beverage; Island Plastic Bags, Inc; and one individual. Your Committees received comments on this measure from Sustainable Food Policy Alliance, Plastics Industry Association, and Hawai'i Restaurant Association.

Your Committees recognize that Hawaii's failures to account for the continuous production of solid waste and the externalized costs of a consumption-based economy have resulted in significant and ever-growing impacts to the environment, public health, and overall quality of life in the State. Leachates from landfills threaten to contaminate water resources; toxic emissions and ash from Oahu's waste-to-energy incineration facility have raised the risks of lung and heart disease, neurological complications, reproductive issues, and cancer; and the limited land and sensitive ecosystems severely limit the space available to receive and store waste byproducts. Your Committees therefore find that addressing the pollution of packaging waste will substantially benefit the State and protect the long-term well-being of the environment, economy, and public health. By establishing a foundational framework to reduce, reuse, and repurpose solid waste streams, this measure takes momentous strides in ensuring that the Hawaiian islands can continue to sustain themselves with fortitude and grace, and with it, the people's social and economic systems that rely on a healthy and prosperous natural environment.

Your Committees have amended this measure by:

- (1) Deleting language that would have established a Packaging Waste Reduction and Reuse Program and Packaging Waste Special Fund, and appropriated monies from the special fund for the Department of Health to fund contractors or packing reduction coordinator positions for the Program;

- (2) Deleting language that would have required the Department of Health, by rule, to establish dates and interim goals under the Hawaii Zero Waste Initiative;
- (3) Revising the role, duties, and membership of the Packaging Waste Advisory Council;
- (4) Inserting language to allow for the establishment of a nonprofit producer responsibility organization;
- (5) Revising the requirements of the statewide needs assessment;
- (6) Allowing the Department of Health to contract with a third party for assistance in preparing the needs assessment;
- (7) Allowing the Department of Health to charge covered producers or the producer responsibility organization for reimbursement of costs of the needs assessment;
- (8) Requiring the Department of Health, in collaboration with the Packaging Waste Advisory Council and nonprofit producer responsibility organization, to develop a proposal to implement a producer-funded packaging reduction, reuse, and recycling program to achieve the goal of seventy percent reduction in packaging waste deposited in landfills or incinerated in the State by 2035;
- (9) Requiring the Department of Health to submit draft legislation to implement the producer-funded Packaging Reduction, Reuse, and Recycling Program, based on the needs assessment and input from the Packaging Waste Advisory Council and nonprofit producer responsibility organization, to the Legislature by December 31, 2026;
- (10) Excluding other producers as determined by the Department of Health from the definition of “covered producer”;
- (11) Adding definitions of “packaging”, “packaging waste”, “producer responsibility organization”, “recycle” or “recycling”, and “reusable”;
- (12) Updating definitions of “producer”, “returnable”, “reusable packaging”, and “reuse and refill”;
- (13) Amending section 1 to reflect its amended purpose; and
- (14) 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 and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1326, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1326, 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, 4; Ayes with Reservations (DeCoite, Richards). Noes, 1 (Awa). Excused, none.

Health and Human Services: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Moriwaki).

**SCRep. 1392 (Joint) Agriculture and Environment and Commerce and Consumer Protection on H.B. No. 1359**

The purpose and intent of this measure is to:

- (1) Repeal redundant regulations on hemp production, which will reduce costs for the State and Hawaii farmers;
- (2) Amend the hemp law in a manner that recognizes the unique constraints of Hawaii farmers, while protecting human health;
- (3) Allow licensed hemp producers to sell hemp biomass;
- (4) Require and appropriate moneys for the Department of Health to hire or consult a toxicologist or consultant familiar with hemp industry standards for the purpose of setting defined action limits or exposure levels for different types of hemp products; and
- (5) Extend the State’s hemp processor law through July 1, 2027.

Your Committees received testimony in support of this measure from Hawai’i Hemp Farmers Association, Hawai’i Farmers Union United, Kauai Hemp Co., Environmental Caucus of the Democratic Party of Hawai’i, Hawai’i Sustainable Farms, and eleven individuals. Your Committees received testimony in opposition to this measure from Omaopio Piliwale Ohana and ten individuals. Your Committees received comments on this measure from the Department of Agriculture, Department of Health, and one individual.

Your Committees find that Hawaii’s hemp industry is heavily burdened by overregulation, which has significantly stifled the growth of this potentially lucrative and resourceful industry in the State. Furthermore, overregulation of hemp production and processing has driven many farmers out-of-business or out-of-state, while consumers have grown accustomed to relying on hemp sourced from other places. Your Committees additionally recognize that hemp has more than fifty thousand recognized uses, ranging from its use as a fuel source, food, clothing and building material, and natural plastic alternative. Under a more welcoming regulatory atmosphere, hemp has vast potential as a agricultural revenue stream and natural resource in the State due to Hawaii’s bountiful rainfall, ample year-round sunshine, and geographic limitations. Therefore, this measure repeals and reduces the burdensome regulations that unduly impede and stifle the hemp industry in Hawaii and implements policies and appropriates funds to propel and support the industry moving forward.

Your Committees have amended this measure by:

- (1) Replacing the proposed one-hundred foot residential buffer zone requirement with a blank number of feet;
- (2) Specifying that the Department of Agriculture may require reports that include copies of the United States Department of Agriculture test results for transported commercial hemp;

- (3) Clarifying the requirements of identity statements used for labeling and advertisements of commercial hemp relating to the identification of the percentage of Hawaiian grown hemp and origin of other hemp;
- (4) Limiting the definition of “hemp biomass” to mean only the stalks of hemp plants;
- (5) Specifying that “finished hemp product” means a product with a delta-9-tetrahydrocannabinol concentration of no more than 0.3 percent;
- (6) Clarifying the packaging labeling requirements for the sale of hemp products relating to the identification of the percentage of Hawaiian grown hemp and origin of other hemp;
- (7) Requiring the Department of Agriculture and Department of Health to jointly convene a Hawaii Hemp Task Force to gather data and information to understand industry needs and inform strategies and actions that support agriculture and a robust hemp industry in the State and to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025;
- (8) Requiring the Department of Agriculture to hire a third-party consultant to work with the Hawaii Hemp Task Force and identify infrastructure needs of Hawaii hemp farmers and the hemp industry on each island and who shall issue a report by July 1, 2024;
- (9) Appropriating funds for the hiring of the third-party consultant;
- (10) Amending section 1 to reflect its amended purpose; 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 Agriculture and Environment 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. 1359, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1359, 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.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (DeCoite). Noes, none. Excused, none.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1393 Commerce and Consumer Protection on H.B. No. 884**

The purpose and intent of this measure is to exempt, under certain conditions, out-of-state traveling team physicians who accompany a sports team to Hawaii from state licensure requirements.

Your Committee received testimony in support of this measure from the University of Hawaii System and American Medical Society for Sports Medicine. Your Committee received comments on this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs and Hawaii Medical Board.

Your Committee finds that athletes who compete in intercollegiate or professional leagues often travel across state lines to attend tournaments, bowl and exhibition games, and other types of competitions. The athletes typically prefer that a team physician, along with other health care professionals, travel with the athletes, as team physicians have knowledge of the athletes’ medical histories, current medical statuses, and specific medical skills pertaining to sports medicine. Despite the passage of federal legislation to address this issue, existing state law remains unclear regarding the out-of-state licensure of traveling team physicians. By granting out-of-state traveling team physicians temporary licensure, this measure provides out-of-state athletes competing in the State with access to their preferred medical provider while maintaining professional health standards.

Your Committee has amended this measure by inserting language authorizing physicians invited by an intercollegiate league or professional league to provide services to team members and coaching staff at an event or competition in the State that is sanctioned by the intercollegiate league or professional league, under certain circumstances.

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. 884, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 884, 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. 1394 (Joint/Majority) Commerce and Consumer Protection and Judiciary on H.B. No. 1439**

The purpose and intent of this measure is to:

- (1) Establish a Pre-Litigation Mediation Pilot Program that:
  - (A) Extends the period for a notice of termination of the rental agreement from five business days to ten calendar days;
  - (B) Requires landlords to engage in mediation and stays the filing of an action for summary possession if a tenant schedules or attempts to schedule a mediation; and
  - (C) Requires landlords to provide specific information during the ten-calendar-day notice period to tenants, which shall also be provided to a mediation center that offers free mediation for residential landlord-tenant disputes;
- (2) Appropriate funds for the Pre-Litigation Mediation Pilot Program; and
- (3) Establish and appropriate funds for an Emergency Rent Relief Program.

Your Committees received testimony in support of this measure from the Judiciary; Department of Human Services; Hawaii Public Housing Authority; Hawaii Appleseed Center for Law and Economic Justice; Catholic Charities Hawai'i; AlohaCare; Hawai'i Children's Action Network Speaks!; Housing Hawai'i's Future; Hawai'i Housing Affordability Coalition; Mediation Center of the Pacific, Inc.; Papa Ola Lokahi; Ku'ikahi Mediation Center; Hawaiian Humane Society; Family Promise of Hawai'i; West Hawai'i Mediation Center; Planning for Community, LLC; HOPE Services Hawai'i; and eight individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Hawai'i Association of REALTORS.

Your Committees find that the Legislature enacted Act 57, Session Laws of Hawaii 2021 (Act 57), in response to the tens of thousands of Hawaii residents losing their jobs during the coronavirus disease 2019 pandemic, leaving them unable to pay their rent. Act 57 provided a number of protections for tenants who could not pay rent, including requiring landlords to engage in mediation and staying the filing of an action for summary possession in certain circumstances. Act 57 helped to preserve housing stability and avert an anticipated eviction crisis and flooding of the court system. As a result of Act 57, eighty-five percent of the cases mediated statewide settled without litigation, and in the First Circuit, eighty-five percent of the settlements resulted in tenants remaining in their homes. While the procedures created by Act 57 were successful, Act 57 automatically repealed in 2022. This measure makes permanent certain provisions of Act 57, thus protecting renters from eviction and preventing a further worsening of the State's homelessness crisis.

Your Committees acknowledge the concerns raised in testimony that this measure's effective date of September 1, 2023 for the Pre-Litigation Mediation Pilot Program, would not allow for landlords and landlord associations to update necessary documents such as standard rental agreement forms and to educate landlords on this measure's requirements. Your Committees find that November 1, 2023, is a more appropriate effective date, as November is the time of year in the realtor industry when standard forms are updated. Your Committees note that the extension of this measure's effective date in no way prohibits pre-litigation mediations between landlord and tenants that are currently ongoing.

Therefore, your Committees have amended this measure by:

- (1) Inserting an effective date of November 1, 2023, and a repeal date of November 1, 2025, for certain amendments made to section 521-68, Hawaii Revised Statutes, by this measure;
- (2) Inserting unspecified amounts of rent relief payments that participants in the Emergency Rent Relief Program established by this measure are eligible to receive;
- (3) Inserting an unspecified amount of total payments that may be made under the Emergency Rent Relief Program each year;
- (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 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. 1439, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1439, 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.

Commerce and Consumer Protection: Ayes, 2. Noes, 1 (Awa). Excused, 2 (Fukunaga, Richards).

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1395 (Majority) Health and Human Services on H.B. No. 350**

The purpose and intent of this measure is to establish that the exemption from mandatory reporting by members of the clergy does not apply when the clergy member believes that there exists a substantial risk that child abuse or neglect that is especially heinous, atrocious, or cruel, manifesting exceptional depravity, may occur in the reasonably foreseeable future.

Your Committee received testimony in support of this measure from the Department of Human Services; Stonewall Caucus of the Democratic Party of Hawai'i; Rainbow Family 808.com, Inc.; and three individuals.

Your Committee finds that existing law exempts clergy from the mandate to report child abuse or neglect, or the potential for child abuse or neglect, when the information regarding the abuse or neglect is obtained solely through penitential communication. However, given the history of clergy abuse, particularly of children, in the State and around the world, the exemption from mandatory reporting by clergy requires limitations to ensure that child abuse, by clergy or another party, is properly addressed. Therefore, to support the safety and well-being of children in the State, this measure limits the scope of the mandatory reporting exemption by clergy to require clergy to report certain abuse, even when received in penitential communications.

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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 350, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 350, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1396 Commerce and Consumer Protection on H.B. No. 1081**

The purpose and intent of this measure is to clarify the penalty assessed on any person who intentionally operates a care facility without a certificate or license by repealing section 321-486.3, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that operating a care home without a certificate or license constitutes a violation of chapter 321, Hawaii Revised Statutes. Section 321-20, Hawaii Revised Statutes, authorizes the assessment of an administrative penalty of up to \$1,000 per day against any person in violation of any provision in chapter 321, Hawaii Revised Statutes. However, section 321-486.3, Hawaii Revised Statutes, authorizes the assessment of an administrative penalty against any person operating a care facility without a certificate or license, in the amount of \$100 for each day of uncertified or unlicensed operation for the first violation, \$500 for each day for the second violation, and \$1,000 for each day for the third violation. Your Committee finds this dual penalty system unnecessary and confusing. Accordingly, this measure repeals section 321-486.3, Hawaii Revised Statutes, to eliminate confusion and make clear that the penalty provisions of section 321-20, Hawaii Revised Statutes, apply to these violations.

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. 1081, 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 (Fukunaga).

**SCRep. 1397 (Majority) Judiciary on H.B. No. 91**

The purpose and intent of this measure is to:

- (1) Deem the right to a contested case hearing waived if a person fails to request the hearing within a certain time after receipt of the Campaign Spending Commission's preliminary determination; and
- (2) Allow the Campaign Spending Commission to file its order in the First Circuit Court for confirmation as a civil judgment.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Commission to Improve Standards of Conduct, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the Campaign Spending Commission is unable to issue a fine against a person without providing the person with written notice and an opportunity to be heard at a hearing. Your Committee further finds that a person may waive these rights by written stipulation or consent. Your Committee additionally finds that the enforcement actions of the Campaign Spending Commission can be unduly delayed if a person declines to participate in the hearing process. This measure will establish an implied waiver of a person's rights to notice and to be heard at a contested case hearing if the person fails to request a hearing prior to a preliminary determination, and will allow the Commission to file orders with the First Circuit Court and enable those orders to be enforceable and collectable in the same manner as other judgments of the court.

Your Committee has amended this measure by amending subsections 11-405(b) and 11-410(b), Hawaii Revised Statutes, to change the number of days within which a person has to request a contested case hearing from twenty to thirty days of receipt of the preliminary determination.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 91, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 91, 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, 3. Noes, 1 (San Buenaventura). Excused, 1 (Awa).

**SCRep. 1398 (Joint/Majority) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on H.B. No. 118**

The purpose and intent of this measure is to clarify that each county may, by ordinance, designate certain sections of county highways as areas in which stopping, standing, or parking vehicles is prohibited or restricted.

Your Committees received testimony in support of this measure from the Department of Transportation, Maui County Council, and Hawai'i State Association of Counties. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that Act 250, Session Laws of 2019, established the State Highway Enforcement Program after a surge in unsafe and hazardous problems caused by illegal parking. Additionally, vehicles that stop, stand, or park on highways may create hazards for other drivers, emergency services or law enforcement personnel, and pedestrians. This measure authorizes the counties to utilize the State Highway Enforcement Program to protect all roadway users across the State.

Your Committees have amended this measure by clarifying that a federal or state agency authorizing a road closure shall supersede a county ordinance.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 118, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 118, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.  
Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Inouye).  
Public Safety and Intergovernmental and Military Affairs: Ayes, 2. Noes, 1 (Awa). Excused, 2 (Fukunaga, McKelvey).



**SCRep. 1399 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on H.B. No. 1109**

The purpose and intent of this measure is to meet federal requirements on fraudulent activity relating to commercial learner's permits and commercial driver's licenses.

Your Committees received testimony in support of this measure from the Department of Transportation.

Your Committees find that motor carriers provide various services across the State. Presently, the Department of Transportation is required by the Federal Motor Carrier Safety Administration, pursuant to title 49 of the Code of Federal Regulations section 383.73(k)(2), to implement policies that result, at minimum, in the disqualification of the commercial learner's permit or commercial driver's license for applicants who are suspected of fraud related to the testing and issuance of the permit or license. This measure provides additional accountability for drivers who obtain a commercial learner's permit or commercial driver's license while also satisfying mandatory conformance to federal requirements.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1109, 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 and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Inouye).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, McKelvey).

**SCRep. 1400 Transportation and Culture and the Arts on H.B. No. 24**

The purpose and intent of this measure is to remove the requirement that water common carriers secure prior approval of the Public Utilities Commission to enter into long-term leases of more than three years and leverage leases.

Your Committee received testimony in support of this measure from Hawaii Harbor Users Group; Matson Navigation Company, Inc.; and Young Brothers, LLC. Your Committee received testimony in opposition to this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that as an island state, Hawaii relies on commercial harbors and water common carriers to ensure the continued and unimpeded flow of cargo throughout the State. Over ninety percent of goods in the State are imported, including fuel, food, goods, construction materials, and motor vehicles. While the current regulatory framework provides safeguards to water common carrier operations, certain requirements may impede the timely flow of goods in the State. This measure improves regulatory efficiency for water common carriers while also ensuring an uninterrupted supply chain in the State.

Your Committee has amended this measure by:

- (1) Clarifying that a water common carrier, upon prior approval of the Public Utilities Commission, may:
  - (A) Enter into vessel leases longer than five years; or
  - (B) Enter into leverage leases for vessels;
- (2) Clarifying the definitions of "property" and "facilities" to prohibit water common carriers from entering into vessel leases longer than five years or enter into leverage leases for vessels to acquire property or to construct, complete, extend, improve, or add to its facilities or service;
- (3) Clarifying that any vessel leases longer than five years and all leverage leases for vessels without an authorizing order of the Public Utilities Commission shall be deemed void; 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 and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 24, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 24, 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. 1401 Transportation and Culture and the Arts on H.B. No. 714**

The purpose and intent of this measure is to:

- (1) Require that the securing of mooring lines from vessels requiring tug assistance to commercial docks, wharves, piers, quays, and landings be performed by a stevedoring company; and
- (2) Define "stevedoring company".

Your Committee received testimony in support of this measure from the International Longshore and Warehouse Union, Local 142; Hawai'i State AFL-CIO; International Longshore and Warehouse Union, Local 100; Operating Engineers Local Union No. 3; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and ninety-four individuals. Your Committee received testimony in opposition to this measure from Island Energy Services, LLC; Par Hawaii; and Island Plastic Bags, Inc. Your Committee received comments on this measure from the Department of Transportation; Public Utilities Commission; Young Brothers, LLC; General Contractors Association of Hawaii; American Marine Corporation; Hawai'i Gas; and Hawaiian Cement.

Your Committee finds that to transport goods to the State's harbors, tugs are required to tow large vessels to docks for offloading and unloading of cargo. Recently, certain tug and barge crews that were tasked with securing vessels to docks were found to belong to out-of-state companies, and such crews may not be properly trained and certified under current state regulations. This measure supports the local maritime industry workforce while also ensuring the timely transport of cargo.

Your Committee notes that relevant stakeholders are continuing to discuss consensus language for this measure and requests that your Committee on Ways and Means consider the proposed language, should it choose to hear this measure.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with their intent and purpose of H.B. No. 714, 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 (Elefante). Noes, none. Excused, none.

**SCRep. 1402 (Joint) Health and Human Services and Labor and Technology on H.B. No. 777**

The purpose and intent of this measure is to authorize the Department of Human Services to conduct background checks for current and prospective employees, volunteers, contractors, contractors' employees and volunteers, subcontractors, and subcontractors' employees and volunteers, who are in positions that require close proximity to certain minors, young adults, or vulnerable adults.

Your Committees received testimony in support of this measure from the Department of Human Services, Disability and Communication Access Board, and six individuals. Your Committees received comments on this measure from the Hawai'i Civil Rights Commission.

Your Committees find that under existing State employment practices, background checks for prospective employees consist of searching the State of Hawaii name-based criminal history record check. This method relies on prospective new hires to self-report any convictions outside of the State. Authorizing the Department of Human Services to conduct comprehensive national and State fingerprint-based criminal history record checks and periodic, subsequent checks will allow the Department to obtain information directly from the Federal Bureau of Investigations and the Hawaii Criminal Justice Data Center. This measure will further ensure the health, safety, and well-being of minors, young adults, and vulnerable adults receiving child welfare, child protective services, extended foster care and higher education supports, social services, and adult protective or community services from the Department of Human services.

Your Committees acknowledge the concerns raised in testimony that this measure's technical renumbering of the paragraphs in sections 378-2.5(d) and 846-2.7(b), Hawaii Revised Statutes, will have substantive unintended impacts, as the state departments often base administrative rules or other policies and procedures on the existing paragraph numbers. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Deleting technical amendments that would have renumbered and reordered the paragraphs in sections 378-2.5(d) and 846-2.7(b), Hawaii Revised Statutes;
- (2) Inserting an effective date of June 30, 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 Human Services and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 777, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 777, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Ihara, Keith-Agaran).

**SCRep. 1403 Transportation and Culture and the Arts on H.B. No. 541**

The purpose and intent of this measure is to require proper head lamp specifications for vehicle safety inspections.

Your Committee received testimony in support of this measure from the Department of Transportation.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which requires proper head lamp specifications for vehicle safety inspection and requires the Department of Transportation to amend its administrative rules to allow motor vehicle owners whose motor vehicle registration and safety check are both expired to register their motor vehicle without first obtaining a certificate of inspection or obtain a certificate of inspection without first registering their motor vehicle.

Your Committee received testimony in support of the proposed S.D. 1 from one individual.

Your Committee finds that motor vehicle safety inspections ensure that all vehicle safety equipment is properly maintained to provide maximum safety for all roadway users. However, current processes for motor vehicle safety inspections require a valid motor vehicle registration. For certain motor vehicle owners who have expired motor vehicle registration, this creates a cumbersome process that requires the owner to fail a motor vehicle safety inspection, pay for a new motor vehicle registration, and return to the motor vehicle safety inspection site to receive a new inspection. This measure will add clarity to and streamline the process of motor vehicle safety inspections.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the measure by specifying that the owner of a motor vehicle whose registration and safety check are both expired shall first obtain a certificate of inspection, then register the motor vehicle.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 541, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 541, 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. 1404 Health and Human Services on H.B. No. 1340**

The purpose and intent of this measure is to authorize the Director of Health to establish a Temporary Breakthrough Therapy Designation Advisory Council within three months of a breakthrough therapy designation approval by the United States Food and Drug Administration.

Your Committee received testimony in support of this measure from the Department of Health, Clarity Project, Heroic Hearts Project, Hawai'i Psychological Association, SoundMind Institute, Beyond Mental Health, and twenty-seven individuals.

Your Committee finds that the United States Food and Drug Administration grants certain "breakthrough therapy" designations to expedite research and potential approval for drugs that treat a serious condition and whose preliminary clinical evidence indicates a substantial improvement over other available therapies. Although the post-breakthrough approval process can sometimes take four to six years following designation, your Committee believes that by concurrently reviewing the applicable scientific, legal, and regulatory background for each new therapy, the State will be better prepared to more quickly implement new breakthrough therapies once they receive federal approval. Further, your Committee believes that this improved process will also help expedite already-designated breakthrough therapies that are nearing federal approval, such as MDMA and psilocybin, which are proving to be promising therapies for a wide range of mental and psychiatric diagnosis. Therefore, this measure allows the Director of Health to convene a Temporary Breakthrough Therapy Designation Advisory Council for each new breakthrough therapy and to review any new treatment to help get life-changing therapies to the people of Hawaii faster and more efficiently.

Your Committee has amended this measure by:

- (1) Designating the Executive Director of the Office of Wellness and Resilience as the Chairperson of any established Temporary Breakthrough Therapy Designation Advisory Council, rather than the Director 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1340, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1340, 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. 1405 Government Operations on H.B. No. 719**

The purpose and intent of this measure is to provide more equitable access to government records by:

- (1) Imposing a cap on charges for the reproduction of certain government records;
- (2) Waiving the cost of duplication of government records provided to requestors in an electronic format;
- (3) Imposing a cap on charges for searching for, reviewing, and segregating records;
- (4) Providing for a waiver of fees when the public interest is served by a record's disclosure; and
- (5) Appropriating funds for two permanent positions within the Office of Information Practices.

Your Committee received testimony in support of this measure from the Commission to Improve Standards of Conduct, The Civil Beat Law Center for the Public Interest, Hawaii Bulletin, Big Island Press Club, Hawaii Chapter of the Society of Professional Journalists, League of Women Voters of Hawaii, American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Holomua Collaborative, All Hawaii News, and six individuals. Your Committee received testimony in opposition to this measure from the Department of Design and Construction of the City and County of Honolulu. Your Committee received comments on this measure from The 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. This measure seeks to address the imposition of high search and reproduction costs as a deterrent to pursue Uniform Information Practices Act requests. Although your Committee recognizes a need to discourage nuisance requests or abuse of the public records law, and it also recognizes that agencies may vary in their interpretation of the current language regarding the waiver of fees when the public interest is served. Therefore, amendments are necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the legislative findings;

- (2) Waiving reproduction costs charged for the first one hundred pages if the disclosure serves the public interest, will likely contribute significantly to the public understanding of the government's operations or activities, and is not primarily in the commercial interest; 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 H.B. No. 719, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 719, 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. 1406 Health and Human Services on H.B. No. 1156**

The purpose and intent of this measure is to:

- (1) Authorize the provision of long-acting psychotropic medication to patients who are subject to emergency examination or hospitalization;
- (2) Authorize certain health care facilities to request the Director of Health to file a petition for an order for treatment over a patient's objection;
- (3) For requests that satisfy the requirements for administration of treatment over a patient's objection, require the Director of Health to pursue a petition to request an order for treatment over the patient's objection or convene an administrative panel, under certain conditions;
- (4) Expand which individuals may be ordered to receive treatment over an individual's objection;
- (5) Require the Family Court or an administrative panel to file a final order on a petition to request an order for treatment over the patient's objection within thirty days of the date the petition is filed;
- (6) Authorize psychiatrists, advanced practice registered nurses, and interested parties to request the Director of Health to file an assisted community treatment petition;
- (7) For requests that satisfy the criteria for assisted community treatment, require the Director of Health to file a petition for assisted community treatment within a certain number of days;
- (8) Require the Family Court to file a final order on an assisted community treatment petition within thirty days of the date the petition is filed;
- (9) Authorize the Family Court to use online hearings for assisted community treatment petitions;
- (10) Authorize the subject of a petition for assisted community treatment to stipulate to the petition and the Family Court to enter the stipulated order without an evidentiary hearing, under certain circumstance; and
- (11) Require the Department of Health to report to the Legislature on the number of requests for petitions for assisted community treatment submitted to the Director of Health after a certain date.

Your Committee received testimony in support of this measure from the State Council on Mental Health; The Institute for Human Services, Inc.; and two individuals. Your Committee received testimony in opposition to this measure from the Department of Health, Hawaii Disability Rights Center, American Civil Liberties Union of Hawai'i, and one individual. Your Committee received comments on this measure from the Judiciary and The Queen's Health System.

Your Committee finds that certain individuals presented to hospitals in emergency situations may be living with a chronic mental illness or experiencing a psychiatric crisis that requires stabilization. In these situations, due to the importance of timely treatment, it may be necessary to administer certain appropriate medications over a patient's objection. This measure would expedite the process for obtaining authorization to treat over objection, including for assisted community treatment, to ensure individuals living with behavioral health issues receive the care they need at the appropriate time.

However, your Committee notes the concerns raised in testimony that part I of this measure, as currently written, violates individuals' constitutional protections, particularly for individuals living with disabilities and mental health conditions. In addition, this measure, as currently written, does not adhere to the judicial procedure for the involuntary treatment of an individual established in state case law, is infeasible to implement, and would lead to greater inefficiencies and costs.

Your Committee further notes the concerns raised by the Judiciary regarding part II of this measure. Specifically, the Judiciary notes concerns that the proposed requirement for the Family Court to file a final order on a petition for assisted community treatment within thirty days of the date the petition is filed unless exigent circumstances exist is not clearly defined and may result in unintended consequences. Additionally, the Judiciary notes that the statutory definition of an individual who qualifies for assisted community treatment may preclude the individual from knowingly and voluntarily stipulating to a proposed order for treatment. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have:
  - (A) Authorized the provision of long-acting psychotropic medication to patients who are subject to emergency examination or hospitalization;

- (B) Authorized certain health care facilities to request the Director of Health to file a petition for an order for treatment over a patient's objection;
  - (C) For requests that satisfy the requirements for administration of treatment over a patient's objection, required the Director of Health to pursue a petition to request an order for treatment over the patient's objection or convene an administrative panel, under certain conditions;
  - (D) Expanded which individuals may be ordered to receive treatment over an individual's objection; and
  - (E) Required the Family Court or an administrative panel to file a final order on a petition to request an order for treatment over the patient's objection within thirty days of the date the petition is filed;
- (2) Deleting language that would have required the Family Court to endeavor to file a final order on a petition for assisted community treatment within thirty days of the date the petition is filed unless exigent circumstances exist;
  - (3) Deleting language that would have authorized the subject of a petition for assisted community treatment to stipulate to the petition, including the proposed treatment plan, and the Family Court to enter the stipulated order without an evidentiary hearing, under certain circumstances;
  - (4) Inserting an appropriation of an unspecified amount for the Judiciary to obtain applicable resources to effectuate this measure;
  - (5) Inserting an effective date of June 30, 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1156, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1156, 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. 1407 Health and Human Services on H.B. No. 233**

The purpose and intent of this measure is to establish a refundable state child tax credit payable on a monthly basis.

Your Committee received testimony in support of this measure from the Office of the Governor; one member of the Hawai'i County Council; Holomua Collaborative; Hawai'i Workers Center; Hawaii Appleseed Center for Law & Economic Justice; Hawai'i Health & Harm Reduction Center; Hawai'i Public Health Institute; Hawai'i State Coalition Against Domestic Violence; Hawai'i Children's Action Network Speaks!; HPM Building Supply; Hawaiian Host Group; JN Group; aio; Education Caucus of the Democratic Party of Hawai'i; Imua Alliance; Catholic Charities Hawai'i; Hawai'i Hunger Action Network; Title Guaranty of Hawaii; Hawai'i Foodbank; Hawai'i Alliance for Progressive Action; Tori Richard, Ltd.; and eighteen 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 in 2022, twenty-nine percent of Hawaii's residents were categorized as Asset Limited, Income Constrained, Employed (ALICE) and fifteen percent were living in poverty. Therefore, a total of forty-four percent of Hawaii's population struggled to afford basic necessities in 2022. Given that families with children experience higher rates of poverty than those without, your Committee recognizes the dire need for strategies and supports that address the financial hardships uniquely borne by families with children.

Pursuant to its testimony, the Department of Taxation recommends that the tax credit established by this measure be made nonrefundable, as refundable credits are more prone to fraudulent claims, and to remove the provision that requires the credit to be equally distributed to a qualifying individual taxpayer over twelve consecutive months due to concerns that the credit is claimed against the net income tax liability for the taxable year and would complicate any refund of the remainder of the credit over the twelve consecutive months. Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required the awarded tax credit to be equally distributed to a qualifying individual taxpayer over twelve consecutive months;
- (2) Making the tax credit nonrefundable and conforming the measure accordingly;
- (3) Inserting an effective date of June 30, 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 and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 233, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 233, 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. 1408 (Joint) Health and Human Services and Government Operations on H.B. No. 977**

The purpose and intent of this measure is to repeal the Community Council on Purchase of Health and Human Services.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services and State Procurement Office.

Your Committees find that the Community Council on Purchase of Health and Human Services (Council) was established in 1997 to advise the State Procurement Administrator in the development of an improved standardized process for the purchase of health and human services that optimizes information-sharing, planning, and service delivery efforts. Your Committees further find that the services of the Council are no longer necessary, as the administrative rules for chapter 103F, Hawaii Revised Statutes, which govern the procurement process for purchases of health and human services, have been well established and any further rule amendments may be made by the Procurement Policy Board, established pursuant to section 103D-201, Hawaii Revised Statutes. As such, the Council has accomplished its statutory requirement and has not met since April 22, 2010. Accordingly, this measure repeals existing law that established the Council, which has since become obsolete.

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 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. 977, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 977, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Aquino).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Wakai).

**SCRep. 1409 (Joint) Government Operations and Health and Human Services on H.B. No. 978**

The purpose and intent of this measure is to:

- (1) Authorize heads of purchasing agencies to issue requests for statements of qualification and to establish lists of qualified providers for treatment purchase of services; and
- (2) Increase the small purchase threshold for health and human services.

Your Committees received testimony in support of this measure from the State Procurement Office and Department of Accounting and General Services.

Your Committees find that agencies under the treatment purchase of service procurement method are unable to establish and use their own lists of qualified providers as needed, specifically for the provision of health and human services. Your Committees further find that the small purchase threshold for health and human services, established under section 103F-405, Hawaii Revised Statutes, has remained unchanged at \$25,000 since the establishment of chapter 103F, Hawaii Revised Statutes, in 1997. Therefore, this measure authorizes heads of purchasing agencies to establish lists of qualified providers for treatment purchase of service procurement and provides adjustments to the small purchase threshold, which will benefit state agencies that purchase health and human services by reducing administrative costs, accelerating small purchase procedures, and freeing up scarce resources to execute complex high-dollar value procurements.

Your Committees have amended this measure by removing the independent numerical limit for the small purchases of health and human services and aligning it instead with the threshold for goods and services established in section 103D-305(a), Hawaii Revised Statutes, which is currently \$100,000.

As affirmed by the records of votes of the members of your Committees on Government Operations and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 978, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 978, 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.

Government Operations: Ayes, 5. Noes, none. Excused, none.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Aquino).

**SCRep. 1410 Government Operations on H.B. No. 1145**

The purpose and intent of this measure is to require all places of public accommodation and state building construction that is constructed after December 31, 2023, to provide universal changing accommodations in public restrooms.

Your Committee received testimony in support of this measure from State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii State Public Library System, Rainbow Family 808, Epilepsy Foundation of Hawaii, Stonewall Caucus of the Democratic Party of Hawai'i, 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 Accounting and General Services and Hawai'i Civil Rights Commission.

Your Committee finds that families and caregivers of people with disabilities should have equal opportunity to participate in as many civic activities and outings as possible. However, they must often plan or research their trip or daily activities to ensure that accessible spaces are included along their path of travel, taking into consideration the disability-friendly rest areas that provide a safe and dignified toileting area along a certain route. Implementing universal changing accommodations will ensure that people with disabilities have more equity in access, removing barriers to travel that currently hamper full participation and integration in daily activities. This measure will greatly increase access to public spaces for people with disabilities.

Your Committee acknowledges the concern raised in testimony that this measure does not allow state agencies to reasonably redesign projects already in progress to meet its requirements and could lead to numerous claims for hardship due to unreasonable time constraints. Accordingly, an amendment to this measure is necessary to address this concern.

Therefore, your Committee has amended this measure by clarifying that bids for state building construction projects submitted after June 30, 2024, shall include universal changing accommodations, where feasible and cost effective.

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. 1145, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1145, H.D. 1, 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. 1411 (Majority) Government Operations on H.B. No. 167**

The purpose and intent of this measure is to make general contractors that enter into or are under contracts for work on buildings, structures, or other private works liable for debt incurred by subcontractors for wages due to claimants for performance of labor in the contract between the general contractor and owner in the State.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Operating Engineers Local Union No.3, Hawaii Regional Council of Carpenters, and Pacific Resource Partnership. Your Committee received testimony in opposition to this measure from Structural Builders Hawaii, Inc.; Building Industry Association of Hawaii; Graham Builders; JT Smith Construction, LLC; and two individuals. Your Committee received comments on this measure from the Department of Accounting and General Services, General Contractors Association of Hawaii, and Subcontractors Association of Hawaii.

Your Committee finds that there have been numerous construction projects in the State where unscrupulous employers engage in payroll and tax fraud by hiring dubious subcontractors. One such scheme was revealed at the Maile Sky Court construction site in Waikiki where the general contractor working on the site utilized subcontractors who underpaid employee wages without providing necessary benefits and safety standards. While the subcontractor received several fines from federal and state agencies, the general contractor involved went unpenalized and accrued all financial benefits of the scheme without repercussions. This individual's misuse of subcontractors allowed him to underbid legitimate contractors, report and pay lower taxes, and avoid liability of unpaid wages. Your Committee therefore finds this measure necessary to ensure that general contractors are liable for unpaid wages of their subcontractors, and provide a tool for general contractors to ensure all subcontractor workers are being paid properly and in compliance with the law.

Your Committee has amended this measure by:

- (1) Replacing the term "private work" with "private construction work" throughout the measure;
- (2) Clarifying that contractor liability applies to private construction work not subject to chapter 104, Hawaii Revised Statutes;
- (3) Inserting language to require payments be made in a timely manner consistent with prompt payments under section 103-10.5, Hawaii Revised Statutes;
- (4) Making conforming changes to the definition of "employer" in chapter 388, Hawaii Revised Statutes, relating to payment of wages and other compensation; 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. 167, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 167, 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, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1412 Government Operations on H.B. No. 565**

The purpose and intent of this measure is to establish and appropriate funds for the State Self-Insurance Against Property and Casualty Risks Special Fund to be administered by the Comptroller to provide the State with self-insurance coverage against property and casualty risks.

Your Committee received comments on this measure from the Department of Accounting and General Services and Department of Budget and Finance.

Your Committee finds that property and casualty insurance is a prudent risk mitigation strategy, which can cover costs for the damage, theft, or vandalism of property and provide liability protection for accidents or injuries to other people or their belongings. For this reason, the State currently purchases third-party insurance through its Risk Management and Insurance Administration. However, your Committee finds that the State's annual insurance premiums have been costly and notes that they are always subject to future premium increases.

Your Committee notes that one way to address the ever-increasing cost of third-party insurance is to require the State to self-insure against property and casualty risks by creating a state captive, which has been done in many other states. This measure requires that the State self-insure against property and casualty risk through the State Self Insurance Against Property and Casualty Risks Special Fund and eliminates the Comptroller's discretionary ability to purchase third-party property and casualty insurance in the future.

However, your Committee finds that these requirements could force the State to set aside hundreds of millions of dollars to meet the actuarial risk of large-scale disasters and could potentially generate huge losses for the State.

Your Committee has heard the testimony of the Department of Accounting and General Services, which expressed serious and grave concerns that an immediate conversion to a fully self-insured program could compromise the State's fiscal position and its ability to manage risk exposure. The Department notes that the better way to address the third-party cost issues described is to follow the lead of other states and to accelerate the creation of a state captive to underwrite the State's property and casualty risks.

Your Committee also finds that, generally, a captive insurer in an insurance company that is wholly-owned and controlled by its insured parties, or party, which in this case would be the State. The Department of Accounting and General Services testified that a captive insurance program could meet the goals of helping to minimize the total cost of insurance, while still protecting the State against catastrophic losses, and may contain other future benefits. Your Committee notes that in order to fully realize the benefits of a state captive, the Department would need to continue to have discretionary ability for reinsurance purposes.

Therefore, your Committee has amended this measure by:

- (1) Inserting a new section to chapter 41D, Hawaii Revised Statutes, to establish a captive insurance program;
- (2) Deleting the amendments to sections 41D-2 and 41D-4, Hawaii Revised Statutes, which removed the Comptroller's discretion to purchase property and casualty insurance and to pay property and casualty claims from the State Risk Management Revolving Fund;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Lastly, your Committee notes that while the Department provided suggested language to establish a captive insurance program, the Department testified that additional statutory sections are necessary to establish a trust fund and to provide the applicable investment authorization. Should your Committees on Ways and Means and Judiciary choose to deliberate on this measure, your Committee respectfully requests that it considers further examining whether additional statutory sections are necessary, and if so, in what form, to establish a captive insurance program.

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. 565, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 565, 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, 4. Noes, none. Excused, 1 (Wakai).

**SCRep. 1413 (Majority) Health and Human Services on H.B. No. 1217**

The purpose and intent of this measure is to make various amendments to laws regarding medical cannabis to provide clear parameters regarding the medical use of cannabis for qualifying patients, primary caregivers, qualifying out-of-state patients, and caregivers of qualifying out-of-state patients.

Your Committee received testimony in support of this measure from the Department of Health, Cure Oahu, PONO LIFE MAUI, and four individuals. Your Committee received testimony in opposition to this measure from Care Waialua, LLC; Fire Farms Maui, LLC; Kauai Farm Planning; and more than two hundred individuals. Your Committee received comments on this measure from Aloha Green Holdings, Inc.

Your Committee finds that chapter 329, Hawaii Revised Statutes, regulates the individual use of medical cannabis, and chapter 329D, Hawaii Revised Statutes, regulates medical cannabis dispensaries. As a result, any activity that falls outside of these existing laws is not regulated and clarity is needed as to what activities are permitted to support the fundamentals of the regulation system. This measure amends various provisions of laws regarding medical cannabis to ensure safe and legal access to medical cannabis, and resolve existing confusion with regard to the medical cannabis marketplace and its patients.

Your Committee acknowledges the concerns raised in testimony that this measure, as currently drafted, only allows five qualifying patients to cultivate medical cannabis at a particular location, which equates to only fifty cannabis plants. Your Committee also acknowledges the concerns raised in testimony that this measure is overly restrictive for qualifying patients who wish to cultivate medical cannabis for themselves. Accordingly, amendments to this measure are necessary to address these concerns.

Therefore, your Committee has amended this measure by:

- (1) Inserting language increasing the number of qualifying patients that may use a particular location to cultivate cannabis from five to fifty;
- (2) Removing the sunset date of December 31, 2024, which would have prohibited primary caregivers from cultivating cannabis for qualifying patients after that date;
- (3) Repealing existing law that exempts certain qualifying patients from obtaining medical cannabis or manufactured cannabis products from authorized sources;
- (4) Clarifying that no person shall produce, manufacture, or dispense cannabis or manufactured cannabis products without a dispensary license unless authorized pursuant to chapter 329, part IX, Hawaii Revised Statutes;
- (5) Inserting an effective date of June 30, 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1217, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1217, 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, 3. Noes, 2 (Shimabukuro, Awa). Excused, none.

**SCRep. 1414 (Joint/Majority) Health and Human Services and Commerce and Consumer Protection on H.B. No. 650**

The purpose and intent of this measure is to amend the Our Care, Our Choice Act to:

- (1) Authorize advanced practice registered nurses to practice medical-aid-in-dying in accordance with their scope of practice and prescribing authority;
- (2) Authorize advanced practice registered nurses with a psychiatric or clinical nurse specialization, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient;
- (3) Reduce from twenty to five days, the mandatory waiting period between the two oral requests required for a qualified patient to obtain a prescription for medication that may be self-administered to end the patient's life in accordance with applicable state law; and
- (4) Waive the mandatory waiting period for terminally ill qualified patients who are not expected to survive the mandatory waiting period.

Your Committees received testimony in support of this measure from the Department of Health; Board of Nursing; Stonewall Caucus of the Democratic Party of Hawai'i; Kūpuna Caucus of the Democratic Party of Hawai'i; Compassion & Choices; Hawaii Society of Clinical Oncology; Hawai'i Association of Professional Nurses; The Hawaiian Islands Association for Marriage and Family Therapy; Hawai'i – American Nurses Association; Rainbow Family 808.com Inc.; Hawai'i Pacific Health; Hawai'i Psychological Association; and fifty-four individuals. Your Committees received testimony in opposition to this measure from Not Dead Yet, Hawaii Family Forum, and three individuals. Your Committees received comments on this measure from the Hawai'i State Center for Nursing.

Your Committees find that the State enacted the Our Care, Our Choice Act in 2018, to provide certain terminally ill individuals the option to receive prescription medication to allow them to die in a peaceful, humane, and dignified manner. However, many individuals experience difficulty in receiving this compassionate end-of-life care due to various barriers, including the lack of access to health care providers who can administer medical-aid-in-dying. Furthermore, according to testimony, during the past four years, twenty-seven percent of terminally ill patients in the State who made oral requests for a prescription died during the twenty-day mandatory waiting period, which is the longest waiting period among all states that have authorized medical-aid-in-dying. This measure addresses these barriers by authorizing additional medical practitioners to facilitate medical-aid-in-dying and reducing the mandatory waiting period.

Your Committees acknowledge the concerns raised in testimony that marriage and family therapists, identified by the United States Health Resources and Services Administration as one of the five core mental health professions, should also be authorized to provide counseling to determine whether the patient is capable and does not appear to be suffering from undertreatment or nontreatment of conditions that may interfere with the patient's ability to make an informed decision. Your Committees also acknowledge the request for clarification that advanced practice registered nurses authorized to provide counseling services pursuant to this measure also be required to have training in providing mental health services.

Accordingly, your Committees have amended this measure by:

- (1) Amending the definition of "counseling" to include consultations provided by:
  - (A) An advanced practice registered nurse or clinical nurse specialist licensed under chapter 457, Hawaii Revised Statutes, with psychiatric or mental health training; and
  - (B) A marriage and family therapist licensed pursuant to chapter 451J, Hawaii Revised Statutes;
- (2) Clarifying that, if the qualified patient's attending provider attests that the qualified patient will, within a reasonable medical judgment, die within five days after making the initial oral request, the mandatory five-day waiting period shall be waived;
- (3) Inserting language clarifying that if any provision of this the measure, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of the measure that can be given effect without the invalid provision or application, to the end that the provisions of the measure are severable;
- (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 Human Services 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. 650, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 650, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.  
Health and Human Services: Ayes, 2. Noes, 1 (Awa). Excused, 2 (Aquino, Moriwaki).  
Commerce and Consumer Protection: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1415 (Joint) Transportation and Culture and the Arts and Energy, Economic Development, and Tourism on H.B. No. 346**

The purpose and intent of this measure is to:

- (1) Require that the design of new state facilities be electric vehicle charger-ready;
- (2) Require the Hawaii State Energy Office, in consultation with the Department of Accounting and General Services and Department of Transportation, to survey and identify high priority state facilities for which the Office will consider cost assessments for retrofitting;
- (3) Establish a goal of the State to retrofit state facilities to be electric vehicle charger-ready; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Department of Accounting and General Services, Hawai'i Climate Change Mitigation and Adaptation Commission, Ulupono Initiative, Blue Planet Foundation, Climate Protectors Hawai'i, Hawaii Electric Vehicle Association, Climate Future Forum, Wild Kids, Big Island Electric Vehicle Association, Hawaiian Electric, Kauai Climate Action Coalition, 350Hawaii.org, and twelve 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 Act 74, Session Laws of Hawaii 2021, requires the State to transition its light-duty fleets to zero-emission vehicles by 2035. While the State has experienced an increase of electric vehicle ownership, there are few facilities that offer broad support for workplace electric vehicle charging. Your Committees further find that workplace charging can shift charging demand from peak hours, typically in the early evening, to times during the day when renewable energy is more economical and plentiful. This measure ensures greater equity for electric vehicle charging infrastructure to support the State's clean energy goals.

Your Committees have amended this measure by:

- (1) Clarifying that a minimum of twenty-five percent of parking stalls shall be electric vehicle-charger ready; and
- (2) Amending section 1 to reflect its amended purpose.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts 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. 346, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 346, 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.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Awa).  
Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1416 Transportation and Culture and the Arts on H.B. No. 640**

The purpose and intent of this measure is to:

- (1) Amend the required coverage for shared cars that are made available through a peer-to-peer car-sharing program;
- (2) Clarify when the requirements for motor vehicle insurance coverage are satisfied; and
- (3) Repeal the sunset of the peer-to-peer car-sharing insurance requirements.

Your Committee received testimony in support of this measure from Turo. Your Committee received testimony in opposition to this measure from Hawaii Association for Justice and Hawaii Insurers Council. Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs and Office of Consumer Protection of the Department of Commerce and Consumer Affairs.

Your Committee finds that the proliferation of peer-to-peer car sharing has provided residents and tourists with multiple transportation options to navigate the State. To address the growing popularity of peer-to-peer car sharing platforms, the Legislature enacted Act 56, Session Laws of Hawaii 2022, to establish mandatory insurance terms for peer-to-peer car sharing platforms regarding mandatory insurance coverage. However, as peer-to-peer car sharing platforms are relatively new, additional protections are needed to address liability and safety concerns. This measure increases consumer protection safeguards on peer-to-peer car sharing platforms to ensure the safety of both vehicle owners and users.

Your Committee has amended this measure by providing that for peer-to-peer car-sharing companies whose insurance coverage falls below an unspecified amount, the counties may adopt ordinances to regulate peer-to-peer vehicles, to repeal on July 1, 2025.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 640, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 640, 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. 1417 Transportation and Culture and the Arts on H.B. No. 110**

The purpose and intent of this measure is to authorize the use of diacritical marks for Hawaiian words on special number plates.

Your Committee received testimony in opposition of this measure from the Honolulu Police Department.

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 inserting language authorizing the issuance of special number plates to commemorate Duke Kahanamoku.

Your Committee received testimony in support of the proposed S.D. 1 from the Ocean Safety Division of the Department of Emergency Services of the City and County of Honolulu; Outrigger Duke Kahanamoku Foundation; Ikaika Hawaii; Servco Pacific, Inc.; Hawaii Aquatics Foundation; and thirteen individuals.

Your Committee finds that Duke Kahanamoku is a legendary waterman who was a five-time Olympic medalist in swimming and water polo, a dedicated public servant, and Hawaii's first ambassador of aloha. As one of the first internationally recognized surfers and Native Hawaiians, Duke Kahanamoku shared surfing and the aloha spirit, which brought international attention to Hawaii. This measure honors Duke Kahanamoku's world-renowned achievements while also raising awareness for water safety and swim education in Hawaii's coastal areas.

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 Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 110, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 110, 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. 1418 Government Operations on H.B. No. 710**

The purpose and intent of this measure is to:

- (1) Establish the class C felony offense of using or making false statements or entries in matters within the jurisdiction of the executive, legislative, or judicial branch of the State, or any county;
- (2) Disqualify a person charged with using or making a false statement or entry from receiving public financing for elections for a period of ten years; and
- (3) Amend the offense of obstruction of justice.

Your Committee received testimony in support of this measure from the Commission to Improve Standards of Conduct, Honolulu Police Department, and one individual.

Your Committee finds that making false statements or entries within local government can weaken democracy. The issuance of false statements or entries undoubtedly impacts government resources and conditions. Your Committee further finds that the federal false claims statement statute established a class C felony offense for persons who, when dealing with state or county government, knowingly or willfully falsify, conceal, or cover up a material fact; make a materially false, fictitious, or fraudulent statement or representation; or make or use any false writing or document known to have materially false information. This measure will establish a similar offense in Hawaii, which will help state and county law enforcement root out corruption and misconduct in state and county government rather than rely on federal law enforcement.

Your Committee agrees with the testimony provided that the bar against service for ten years after a conviction of the class C felony is constitutional and as such has restored the original language that was in the draft of the measure as introduced.

Your Committee further finds that while there is a bar against running for office in the legislative branch after a conviction, no bar exists if someone in the executive or judicial branch is convicted of the same offense. As such, your Committee feels that it is important to ensure that should an offense occur in these other two branches, the same prohibition should apply to them as well.

Your Committee has amended this measure by:

- (1) Removing the legislative findings;
- (2) Changing the penalty for any person convicted of using or making false statements or entries in matters within the jurisdiction of the executive, legislative, or judicial branch of the State or any county from being disqualified from receiving public financing under part XIII, subpart J of chapter 11, Hawaii Revised Statutes, for a period of ten years from the date of conviction to being disqualified from holding any elected or appointed office in the executive, legislative, or judicial branches for a period of ten years from the date of conviction; 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 H.B. No. 710, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 710, 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. 1419 (Majority) Government Operations on H.B. No. 712**

The purpose and intent of this measure is to:

- (1) Exempt licensing boards under the Department of Commerce and Consumer Affairs from the requirement that board meetings be recorded;
- (2) Encourage boards to maintain recordings of board meetings on the board's website regardless of whether the written minutes of the meeting have been posted;
- (3) Require boards to provide the state archives with a copy of any recording of a board meeting before removing the recording from the board's website; and
- (4) Require the written minutes of board meetings to include a link to the electronic audio or video recording, if available online.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of Land and Natural Resources, Commission to Improve Standards of Conduct, and two individuals. Your Committee received testimony in opposition to this measure from The Civil Beat Law Center for the Public Interest and League of Women Voters of Hawaii. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Accounting and General Services, Office of Information Practices, and Disability and Communication Access Board.

Your Committee finds that requiring public boards to post any recordings of meetings on their websites and to submit those recordings to the State Archives so that they can remain available for public view represents sound government practice and would be beneficial for both the public and the State. This measure will help increase the transparency of public board meetings.

Your Committee notes that it is unnecessary to exempt licensing boards from the recording requirement because if there is confidential information being discussed, the board may go into executive session, thus preserving the ability of licensees and the public to view board meetings of importance to them.

Accordingly, your Committee has amended this measure by:

- (1) Eliminating the exemption for licensing boards under the Department of Commerce and Consumer Affairs from the requirement that board meetings be recorded; 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 H.B. No. 712, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 712, H.D. 1, 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 (Awa). Excused, none.

**SCRep. 1420 Government Operations on H.B. No. 723**

The purpose and intent of this measure is to expand the application of the State's Sunshine Law to legislatively appointed bodies, including task forces, working groups, commissions, special committees, and select committees, unless specifically exempted by the Legislature.

Your Committee received testimony in support of this measure from the Office of Information Practices, Commission to Improve Standards of Conduct, League of Women Voters of Hawaii, and four individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the Sunshine Law is Hawaii's open meeting law and governs the manner in which all state and county boards must conduct their official business. This measure expands the Sunshine Law onto groups and bodies related to and created by the Legislature thereby increasing transparency of the State and better informing the public.

Your Committee has amended this measure by:

- (1) Deleting the legislative findings;
- (2) Removing language that would have allowed the Legislature to provide an exemption to the Sunshine Law in any bill or resolution establishing a legislatively appointed body; 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 H.B. No. 723, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 723, 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. 1421 (Joint) Health and Human Services and Commerce and Consumer Protection on H.B. No. 1082**

The purpose and intent of this measure is to:

- (1) Define "waiting room" within a medical cannabis retail dispensing location and specify who may have access to the waiting room;
- (2) Clarify the Department of Health's rulemaking authority;

- (3) Establish system access and integration requirements for the computer software tracking system for medical cannabis dispensaries;
- (4) Require the Department of Health to annually report to the Legislature on data captured using the computer software tracking system;
- (5) Amend the medical cannabis dispensary program licensing fee structure;
- (6) Add or clarify requirements for the medical cannabis dispensary program related to signage, types of permitted manufactured cannabis products, supervision of certain personnel who are onsite at a retail dispensing location or medical cannabis production center, and the continuing education and training program conducted by the Department of Health;
- (7) Clarify that each day a violation of the medical cannabis dispensary program law occurs shall constitute a separate violation;
- (8) Establish annual reporting requirements for the Department of Health regarding the medical cannabis patient registry program;
- (9) Require the Department of Business, Economic Development, and Tourism to submit a report to the Legislature analyzing de-identified aggregated information regarding the medical cannabis patient registry program and medical cannabis dispensary program; and
- (10) Make various housekeeping amendments.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Metrc; Lau Ola LLC, dba Big Island Grown Dispensaries; Cure Oahu; Maui Grown Therapies; Aloha Green Holdings, Inc.; Hawai'i Cannabis Industry Association; and one individual. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, and Akamai Cannabis Consulting.

Your Committees find that existing laws governing the State's Medical Cannabis Dispensary Program and Medical Cannabis Registry Program need to be enhanced and streamlined for the Department of Health's efficient enforcement of its regulatory authority in order to improve access to medical cannabis for qualifying patients in the State and to protect the health and safety of patients and the general public. This measure effectuates these objectives by allowing caregivers to assist patients in waiting rooms of retail dispensary locations, preserving the Department's interim rulemaking authority to timely address various concerns, clarifying penalties for violations to facilitate enforcement of dispensary compliance, reducing administrative barriers and assisting medical cannabis dispensaries with streamlining operations and resources.

Your Committees further find that the language in the companion to this measure, S.B. No. 1380, S.D. 1 (2023), which was previously heard by your Committees, is preferable because it requires that written certifications for a patient with a chronic condition be valid for three years; removes the requirement that a certifying physician or advanced practice registered nurse have a "bona fide" physician-patient or advanced practice registered nurse-patient relationship to certify that a patient has a debilitating medical condition pursuant to chapter 329, Hawaii Revised Statutes; amends the rule-making authority for dispensary-to-dispensary sales; and requires medical cannabis dispensaries, in conjunction with physicians and advanced practice registered nurses who issue written certifications pursuant to section 329-123, Hawaii Revised Statutes, rather than the Department of Health, to conduct the continuing education and training program required by section 329D-26, Hawaii Revised Statutes.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 1380, S.D. 1, a substantively similar measure, which also allows caregivers to assist patients in waiting rooms of retail dispensary locations and clarifies penalties for violations to facilitate streamlined enforcement of dispensary compliance;
- (2) Inserting language that amends the definition of "manufactured cannabis product" to include devices that provide safe pulmonary administration, edible cannabis products, and pre-rolled cannabis flower products;
- (3) Inserting language that allows dispensaries to transport not more than eight hundred ounces of cannabis or manufactured cannabis products to another dispensary within a thirty-day period, or other amounts with prior approval of the Department of Health;
- (4) Inserting language that amends the types of medical cannabis products that may be manufactured and distributed to reflect the amended definition of "manufactured cannabis product";
- (5) Inserting an effective date of June 30, 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 Health and Human Services 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. 1082, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1082, 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.

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Aquino, Moriwaki).

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1422 (Joint) Health and Human Services and Commerce and Consumer Protection on H.B. No. 1300**

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 reimbursements in certain circumstances;

- (2) Allow psychologist license applicants to sit for the licensing examination before completing supervised experience requirements;
- (3) Allow the Board of Psychology to grant licensure waivers in certain circumstances for psychologists;
- (4) Authorize insurance reimbursements for services provided by a supervised social work intern in certain circumstances; and
- (5) Appropriate funds to the Department of Commerce and Consumer Affairs to:
  - (A) Establish, recruit, and hire one full-time equivalent (1.0 FTE) office assistant V position to process new license applications; and
  - (B) Make appropriate updates to the Professional and Vocational Licensing Division's internal databases to create new license types established by this measure.

Your Committees received testimony in support of this measure from the Department of Public Safety; Department of Health; State Council on Mental Health; The Hawaiian Islands Association for Marriage and Family Therapy; Hawai'i Psychological Association; Kaliko Counseling Services, LLC; Elemental Guidance, LLC; Erik E. Acuna, LCSW LLC; Root2Rise Counseling Center; AlohaCare; Kauhale Healing, LLC; Xplor Counseling, LLC; Alan R. Spector, LCSW Psychotherapy; Talk It Out, LLC; Catholic Charities Hawai'i; Anuhea St. Laurent - Marriage and Family Therapy, LLC; National Association of Social Workers, Hawai'i Chapter; Hawai'i Counselors Association; Center for Healing & Transformation, LLC; and fifty-six individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Board of Psychology, and Hawaii Medical Service Association.

Your Committees find 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 required 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 the financial hardship for early career mental health providers and those seeking licensure in the field of mental health by allowing for reimbursement under certain conditions, thus helping to reduce the State's shortage of qualified mental health professionals.

Your Committees acknowledge the concerns raised in testimony that this measure authorizes a holder of a doctoral degree in clinical, counseling, and school psychology to sit for the Examination for Professional Practice required for licensure prior to meeting pre-doctoral internship and post-doctoral experience requirements. Your Committees note that internship experience and degree completion are essential to successfully passing the exam, which primarily tests the theoretical knowledge psychologists learn in their education program. Furthermore, your Committees also note that certain amendments made by this measure are redundant and unnecessary. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have authorized a holder of a doctoral degree in clinical, counseling, and school psychology to sit for the Examination for Professional Practice required for licensure prior to meeting pre-doctoral internship and post-doctoral experience requirements and inserting language requiring an applicant for licensure as a psychologist to have a doctoral degree, complete one year of post-doctoral supervised experience in psychology, and complete either an approved internship or one year of supervised experience in an internship or residency program to be eligible to take the Examination for Professional Practice;
- (2) Deleting redundant language that would have authorized the Board of Psychology to grant waivers or extensions to licensees who are unable to comply with continuing education requirements;
- (3) Inserting an effective date of June 30, 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.

Your Committees note that although the appropriations in this measure are blank, the Department of Commerce and Consumer Affairs requests an appropriation in the amount of \$67,876 to establish, recruit, and hire one full-time equivalent (1.0 FTE) office assistant V position to process new license applications, and \$75,000 to make appropriate updates to the Professional and Vocational Licensing Division's internal databases to create new license types established by this measure. Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request it consider inserting these requested amounts.

As affirmed by the records of votes of the members of your Committees on Health and Human Services 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. 1300, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1300, 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 and Human Services: Ayes, 3. Noes, none. Excused, 2 (Aquino, Moriwaki).

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1423      Judiciary on H.B. No. 384**

The purpose and intent of this measure is to enact portions of the Uniform Parentage Act of 2017 to replace the Uniform Parentage Act of 1973.

Your Committee received testimony in support of this measure from the Judiciary, Commission to Promote Uniform State Laws, Stonewall Caucus of the Democratic Party of Hawai'i, and one individual. Your Committee received testimony in opposition to this

measure from three individuals. Your Committee received comments on this measure from the Department of Human Services, Hawai'i Women Lawyers, and three individuals.

Your Committee finds that the State has made some amendments over the years to chapter 584, Hawaii Revised Statutes, including the addition of an "expedited process of paternity" in 1996. However, in general, the law has not kept up with the changes in the make-up of families. This measure will ensure the equal treatment of children born to all parents so that no children are needlessly stigmatized and left without the protections and rights that they deserve.

Your Committee has amended this measure by:

- (1) Specifying that each birthing facility shall send to the Department of Health the original acknowledgment of parentage or an electronic version as allowed by statute, so that the birth certificate issued includes the names of the signatories and the genetic parents, and any information attenuated with the genetic parents to the extent that information is available, which shall be promptly recorded by the Department of Health;
- (2) Restoring the \$100 fee for determinations of parent-child relationship;
- (3) Restoring the \$50 surcharge for parent education for separating parties in matrimonial actions, where either party has a minor child, and for parties in parentage actions;
- (4) Inserting an effective date of March 22, 2075, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that if the Parentage Task Force of the Department of Health continues its work, then it is encouraged to suggest further amendments.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 384, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 384, 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, 4; Ayes with Reservations (Gabbard, San Buenaventura). Noes, none. Excused, 1 (Awa).

**SCRep. 1424      Judiciary on H.B. No. 724**

The purpose and intent of this measure is to amend the prohibition against contributions to a candidate committee or noncandidate committee by state and county contractors to include state and county grantees and the owners, officers, and immediate family members of a state or county contractor or state or county grantee.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, League of Women Voters of Hawaii, and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Commission to Improve Standards of Conduct.

Your Committee finds that under existing campaign finance law, only a state or county contractor is prohibited from making campaign contributions. However, owners, officers, employees, and family members of the contractor can still make contributions to election campaigns. Grantees, similar to contractors, receive state funds and thus should be treated similarly in the context of political contributions. This measure extends the ban to grantees of the state and counties, and the owners and officers of the grantee, and their immediate family, which will reduce the potential for donations to unduly influence policymaking.

Your Committee has amended this measure by specifying that section 11-335, Hawaii Revised Statutes, shall not apply to the partial public financial system.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 724, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 724, 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. 1425      Judiciary on H.B. No. 980**

The purpose and intent of this measure is to:

- (1) Allow notice of a bond or recognizance forfeiture to be sent to either the surety or surety insurer, by certified mail, to start the thirty-day forfeiture countdown for the surety or surety insurer to locate and surrender a principal or file a motion or application to set aside the bond or recognizance forfeiture; and
- (2) Provide the State with an avenue to appeal when the court grants a motion or application to set aside a bail bond forfeiture.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that under section 804-51, Hawaii Revised Statutes, a surety has thirty days from receiving notice of a bail bond forfeiture, by personal service or certified mail, to locate and surrender the criminal defendant and to file a motion or application to set aside a bail bond forfeiture. If the surety is unable to locate the criminal defendant within the thirty-day search period, the surety must pay the full amount of the bond to the State. Sureties have been able to evade service of the notice. When sureties evade service, there is no incentive for them to locate criminal defendants who fail to appear in court and the State is not able to collect the moneys owed under the bonds. The surety and its insurer form an agency relationship when the surety registers a bond or recognizance with a

court. This measure will allow the notice to be sent to the surety insurer, which will reduce a loophole used by a surety to avoid its obligations on the bond or recognizance.

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. 980, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 980, 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. 1426      Judiciary on H.B. No. 1097**

The purpose and intent of this measure is to update the Uniform Controlled Substances Act by adding substances scheduled under federal law.

Your Committee received testimony in support of this measure from the Department of Public Safety and Department of Law Enforcement.

Your Committee finds that this measure is necessary to make Hawaii's Uniform Controlled Substance Act, chapter 329, Hawaii Revised Statutes, consistent with changes to federal law and that these updates to Hawaii's Uniform Controlled Substances Act are in the interest of public health and safety.

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. 1097, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1097, 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, 3. Noes, none. Excused, 2 (Gabbard, Awa).

**SCRep. 1427      (Joint) Health and Human Services and Transportation and Culture and the Arts on H.B. No. 794**

The purpose and intent of this measure is to designate the month of October as "Disability Awareness Month: Employment, Enrichment, and Inclusion" in recognition of the employment challenges and successes of persons with disabilities in the State.

Your Committees received testimony in support of this measure from the Department of Human Services, State Council on Developmental Disabilities, Office of Hawaiian Affairs, Disability and Communication Access Board, Hawaii Disability Rights Center, Hawai'i Family Caregiver Coalition, and seven individuals.

Your Committees find that according to the Centers for Disease Control and Prevention, one in five adult residents in the State identifies as having at least one disability that could affect their ability to work. Your Committees further find that although many individuals with a disability are successfully employed, others, especially with intellectual or developmental disabilities, continue to face disparities in the workforce. Your Committees also find that October was designated by the United States Congress as National Disability Employment Awareness Month in 1945 to educate the general public on the issues experienced by workers with disabilities and how employers can be more inclusive in their hiring practices, which has also been recognized in the State through gubernatorial and mayoral proclamations. By codifying October as "Disability Awareness Month: Employment, Enrichment, and Inclusion", this measure solidifies the State's commitment to the creation and maintenance of an inclusive workforce in the State.

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 Human Services and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 794, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 794, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.  
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).  
Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1428      Health and Human Services on Gov. Msg. No. 512**

Recommending that the Senate advise and consent to the nomination of the following:

DIRECTOR, DEPARTMENT OF HUMAN SERVICES

G.M. No. 512    CATHERINE BETTS, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Catherine Betts for service as the Director of the Department of Human Services.

Your Committee received testimony in support of the nomination for the reappointment of Catherine Betts from the Office of the Governor; Department of Labor and Industrial Relations; Department of Land and Natural Resources; Department of Transportation; Department of Agriculture; Department of Taxation; Department of Budget and Finance; Department of Defense; Department of Health; Executive Office on Early Learning; Hawaii Public Housing Authority; Crime Victim Compensation Commission; Office of



Enterprise Technology Services; Office of Planning and Sustainable Development; Hawaii Family Support Institute; AlohaCare; Hawai'i Primary Care Association; Early Childhood Action Strategy; Parents and Children Together; Hawai'i Children's Action Network Speaks!; Hawaii Association of Health Plans; Hawai'i Public Health Institute; Healthcare Association of Hawaii; Hawai'i State Coalition Against Domestic Violence; Hawaii Friends of Civil Rights; Domestic Violence Action Center; Pū'ā Foundation; EPIC 'Ohana, Inc.; Child and Family Service; Partners in Development Foundation; SanHi Government Strategies, LLP; and twenty-seven individuals. Your Committee received testimony in opposition to the nomination for the reappointment of Catherine Betts from the Hawaii Coalition for Child Protective Reform, Hawaii Family Advocacy Group, and three individuals.

Upon review of the testimony, your Committee finds that Director Betts' experience, knowledge, and proven leadership as the Director of the Department of Human Services (Department) qualify her for reappointment as the Director of the Department. Director Betts has a Bachelor of Arts in Sociology from the University of California, Los Angeles and her Juris Doctorate from the William S. Richardson School of Law. Director Betts has served as the Director of Human Services since September 2020 and has spent the last twenty years serving the people of Hawaii in various roles in the field of human services. Her dedicated service has enabled her to gain an intimate understanding of the operations of the Department, the mission it serves, and the needs and concerns of many hardworking team members in the offices and divisions that carry out the Department's functions.

Your Committee further finds that prior to serving as the Director of Human Services, Director Betts served as Deputy Director for three years where she worked closely with the Social Services Division's Child Welfare Services Branch to improve staff morale and retention, ensure increased staff training and communication with the Judiciary and community partners, and maximize federal funding mechanisms for the Division. Director Betts has also previously served as the Executive Director of the Hawaii State Commission on the Status of Women; as an attorney in private practice handling family law, divorce, and custody matters; as a Deputy Attorney General in the Family Law Division where she handled child abuse and neglect cases and represented the Department of Health in involuntary commitment hearings; and as a community outreach and educator at the Sex Abuse Treatment Center at Kapiolani Medical Center for Women and Children. Her extensive experience in both the public and private sector, and with the Department in various roles, has enabled her to be a strong advocate for children, families, and residents that face many burdens and challenges across the State.

During Director Betts' service as Director of Human Services, she has delivered many accomplishments for the Department, despite the challenges imposed by the coronavirus disease 2019 pandemic. Director Betts has effectively managed the Department's operations, policy, budget decisions, and approximately two thousand employees. Under her leadership, Director Betts has fostered cross-sector collaboration, cultivating relationships with community stakeholders, nonprofits, and national policy organizations, and has been a valued partner in policy conversations with regard to social programs and services, housing, public health and safety, and other desperately needed services to assist Hawaii's most disadvantaged populations. She has also chaired numerous task forces and working groups and convened city, county, and state agencies and community stakeholders, to ensure initiatives and solutions were centered in and driven by the community. Notably, during Director Betts' tenure, the State implemented 'Ohana Nui, a multigenerational approach and framework to eliminating intergenerational poverty for Hawaii's families. The implementation of 'Ohana Nui under Director Betts' leadership demonstrates Director Betts' capacity for adapting evidence-based strategies that build upon the unique strengths of Hawaii's families and individuals to address their equally unique and complex needs. Evolving the Department into a modern, employee-responsive workforce is an area that Director Betts has identified for improvement, and her compassionate, empathetic leadership will help recruit and retain qualified professionals at a time when human services organizations across the country, including the Department, are experiencing critical staffing shortages.

Your Committee further finds that Director Betts is an active participant in her community and has demonstrated a commitment to public service. Director Betts currently serves on the Committee on Equality and Access to the Courts and on the Board of Directors for the Hawaii Filipino Lawyers Association. Your Committee additionally notes the testimony submitted on behalf of Director Betts that substantiates the integrity, compassion, and collaborative spirit with which she leads and dedicates herself to the State and community.

Your Committee finds that Director Betts' leadership abilities, professional experience, and accomplishments will continue to be an invaluable asset to the Department of Human Services, the State of Hawaii, and its residents, especially those of vulnerable and marginalized communities. Your Committee therefore recommends that Catherine Betts be reappointed as the Director of Human Services based on her extensive knowledge, background, and dedication to serving the public.

As affirmed by the record of votes of the members of your Committee on Health and 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. 1429 Commerce and Consumer Protection on S.C.R. No. 17**

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 for services provided by pharmacists.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Board of Pharmacy, Hawaii Medical Service Association, Hawai'i Pacific Health, Hawai'i Primary Care Association, Keto Prescription Clinic, Walgreen Co., Hawaii Pharmacists Association, and twelve individuals. Your Committee received comments on this measure from the Office of the Auditor.

Your Committee finds 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. 693, introduced in the Regular Session of 2023, mandates reimbursement for services provided by participating registered

pharmacists practicing within their scope of practice by private and public health plans in the state beginning January 1, 2024. Accordingly, this measure requests the Auditor to conduct a social and financial assessment of the proposed mandatory health insurance coverage as set forth in Senate Bill No. 693, in accordance with the requirements of State law.

Your Committee has amended this measure by inserting references to Senate Bill No. 693, Regular Session of 2023, where necessary.

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. 17, 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. 17, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1430 Commerce and Consumer Protection on S.C.R. No. 4**

The purpose and intent of this measure is to request the Auditor to conduct a sunrise review of the licensure of associate physicians.

Your Committee received testimony in support of this measure from the Hawaii Medical Board and Hawaii Medical Service Association. Your Committee received comments on this measure from the Office of the Auditor.

Your Committee finds that persons who have graduated from an accredited medical school but who have not been accepted to a medical residency program are not eligible to be licensed to practice medicine in the State. Senate Bill No. 61, introduced during the 2023 Regular Session, proposes the authorization of associate physicians to practice medicine in the State and the regulation and licensure of associate physicians. 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. Accordingly, this measure requests the Auditor to analyze the proposed licensure of associate physicians pursuant to section 26H-6, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Specifying Senate Bill No. 61 (2023) as the measure requested to be analyzed by the Auditor; 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 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, 5. Noes, none. Excused, none.

**SCRep. 1431 (Majority) Commerce and Consumer Protection on S.C.R. No. 18**

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 for various sexual and reproductive health care services.

Your Committee received testimony in support of this measure from the Hawaii Medical Service Association, Planned Parenthood Alliance Advocates – Hawai‘i, Stonewall Caucus of the Democratic Party of Hawaii, Rainbow Family 808, and one individual. Your Committee received comments on this measure from the Office of the Auditor.

Your Committee finds 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.” House Bill No. 1179, introduced in the Regular Session of 2023, proposes to expand existing health insurance coverage, without cost-sharing, to cover various sexual and reproductive health care services. Additionally, House Bill No. 1180, introduced in the Regular Session of 2023, proposes to expand existing health insurance coverage and allows cost-sharing to cover various sexual and reproductive health care services. This measure requests the Auditor to conduct a social and financial assessment of the proposed mandatory health insurance coverage, with and without cost-sharing, for various sexual and reproductive health care services proposed by House Bill No. 1179 (2023) and House Bill No. 1180 (2023), respectively, in accordance with section 23-51, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Inserting references to House Bill No. 1179 and House Bill No. 1180, Regular Session of 2023, where necessary; 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 concurs with the intent and purpose of S.C.R. No. 18, 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. 18, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1432 (Joint/Majority) Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts on S.C.R. No. 164**

The purpose and intent of this measure is to:

- (1) Urge the United States to support Taiwan's participation in international organizations, including the World Health Organization, United Nations Framework Convention on Climate Change, and International Civil Aviation Organization; and
- (2) Urge international organizations to grant Taiwan membership, observer, or other appropriate status.

Your Committees received testimony in support of this measure from the Taipei Economic and Cultural Office in Honolulu.

Your Committees find that Taiwan has a gross domestic product of \$828,600,000,000, making it the twenty-first largest economy in the world. Additionally, Taiwan is the fifty-seventh most populous nation or dependency in the world with a population of approximately twenty-three and a half million. Your Committees further find that Taiwan has full membership in forty intergovernmental organizations or their subsidiary bodies, including the World Trade Organization, Asia-Pacific Economic Cooperation, and Central American Bank for Economic Integration. Despite those memberships and statuses, Taiwan is not a member of the World Health Organization, International Criminal Police Organization, United Nations Framework Conventions on Climate Change, or International Civil Aviation Organization. This measure support efforts for Taiwan to obtain membership, observer, or other appropriate status in international organizations.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 164 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 2. Noes, 1 (Awa). Excused, 2 (Fukunaga, McKelvey).

Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Inouye).

**SCRep. 1433 Hawaiian Affairs on S.C.R. No. 191**

The purpose and intent of this measure is to urge the establishment of a Native Hawaiian Intellectual Property Working Group to discuss policies and legislation with respect to Native Hawaiian intellectual property.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Waimea Hawaiian Civic Club; and twelve individuals.

Your Committee finds that Native Hawaiians possess collective intellectual property rights derived from the traditional and cultural practices that their ancestors developed over thousands of years and passed down from generation to generation. This collective intellectual property takes many forms and includes but is not limited to ka 'ōlelo Hawai'i, hula, mele, mo'olelo, lei making, kapa making, kākau, weaving, feather work, carving, and wayfinding. Your Committee further finds that as legal disputes between Native Hawaiians and third-party users of indigenous knowledge have increased -- including the recent incident where a non-Hawaiian food chain in Chicago, Aloha Poke Co., issued cease-and-desist letters to poke food businesses in Hawaii seeking to prevent their use of the words "Aloha" and "Poke" in a blatant attempt to claim ownership of these Native Hawaiian cultural expressions -- a working group is necessary to investigate and discuss how Native Hawaiian groups can best protect their collective intellectual property rights.

Your Committee has amended this measure by:

- (1) Inserting additional findings relating to the 2003 Paoakalani Declaration compiled at the Native Hawaiian Intellectual Property Rights Conference and the 2021 ratification of the *Huamakahikina Declaration on the Integrity, Stewardship, and Protection of Hula*;
- (2) Adding the Association of Hawaiian Civic Clubs to the Native Hawaiian Intellectual Property Working Group;
- (3) Requesting that the Native Hawaiian Intellectual Property Working Group consult with the Creative Industries Division of the Department of Business, Economic Development, and Tourism, in addition to other Native Hawaiian communities and organizations deemed appropriate;
- (4) Requesting the Native Hawaiian Intellectual Property Working Group members and the named organizations and entities to have discretion to include additional Native Hawaiian organizations and entities through consensus;
- (5) Requesting the Native Hawaiian Intellectual Property Working Group to monitor the upcoming, June 5-9, 2023, forty-seventh session of the World Intellectual Property Organization's Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore;
- (6) Adding the President of the Association of Hawaiian Civic Clubs and the Director of the Department of Business, Economic Development, and Tourism to the list of certified copy recipients; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Lastly, your Committee notes that testifiers in support requested that Native Hawaiians be granted continued access to, and use of, any traditional or new intellectual property designated as Native Hawaiian intellectual property by the Working Group.

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. 191, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 191, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1434 Government Operations on Gov. Msg. No. 533**

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY COMPTROLLER, DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

G.M. No. 533 MEOH-LENG SILLIMAN, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Meoh-Leng Silliman for service as Deputy Comptroller of the Department of Accounting and General Services.

Your Committee received testimony in support of Ms. Silliman's nomination and appointment as Deputy Comptroller of the Department of Accounting and General Services from the Office of the Governor; State Procurement Office; Department of Budget and Finance; Department of Taxation; Department of Labor and Industrial Relations; Department of Defense; Office of Information Practices; Hawaii Public Housing Authority; Department of Health; Department of Transportation; Department of Land and Natural Resources; Department of Public Safety; Department of Human Services; Department of Agriculture; Department of Education; Stadium Authority of the Department of Business, Economic Development, and Tourism; Office of Enterprise Technology Services; Campaign Spending Commission; Office of Elections; Office of Planning and Sustainable Development; Department of Human Resources Development; and thirty individuals.

Upon review of the testimony, your Committee finds that Ms. Silliman's background, experience, and desire to serve the State qualify her to be nominated for appointment as the Deputy Comptroller of the Department of Accounting and General Services. Your Committee notes that Ms. Silliman began working for the State through the Research Corporation University of Hawaii as a Manager at their Youth Technology Mentoring Program. Since then, Ms. Silliman has worked at the Department of Education, Department of Commerce and Consumer Affairs, Department of Budget and Finance, and the Department of Accounting and General Services. Ms. Silliman has proven herself to be an asset for the State through her diligent service record and dedication to the people of Hawaii. Your Committee is convinced that in each new position at a state administrative agency, Ms. Silliman brought energy, creativity, innovation, vision, and the sincere dedication to the long-term best interests of the organization.

Ms. Silliman's extensive experience working for the State provides her with experience in major functional areas in management. Testifiers in support of Ms. Silliman's nomination praise not only her technical knowledge, but also her capacity to be generous with sharing knowledge and mentoring others. At a time when the State is faced with high position vacancy rates, it is imperative that its leaders embrace responsibility for developing the next generation of leaders and cultivate the professional development of the State's workforce. Her record of proven leadership and management skills have prepared her for the unique challenges of the Department of Accounting and General Services. Her diverse background has provided her with the requisite qualifications to serve the State well in the capacity of Deputy Comptroller.

Your Committee therefore recommends that Meoh-Leng Silliman be appointed as Deputy Comptroller of the Department of Accounting and General Services based on her background, knowledge, and commitment to public service.

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 (Wakai, Awa).

**SCRep. 1435 Public Safety and Intergovernmental and Military Affairs on Gov. Msg. No. 509**

Recommending that the Senate advise and consent to the nomination of the following:

ADJUTANT GENERAL, DEPARTMENT OF DEFENSE

G.M. No. 509 KENNETH HARA, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Kenneth S. Hara for service as the Adjutant General of the Department of Defense.

Your Committee received testimony in support of the nomination for the appointment of Major General Kenneth Hara from the Governor, Department of Land and Natural Resources, Department of Labor and Industrial Relations, Department of Public Safety, Office of Enterprise Technology Services, Department of Budget and Finance, Department of Taxation, Department of Education, Department of Transportation, Department of Agriculture, Department of Human Services, Department of Health, Hawaii Paroling Authority, Department of Defense, Department of Budget and Finance, Hawai'i Office of Homeland Security, Office of Planning and Sustainable Development, Hawai'i State Fusion Center, Hawaii Technology Development Corporation, Maui Emergency Management Agency, Hawaiian Electric Industries, Hawaii Military Affairs Council, Hawai'i Lodging and Tourism Association, and twenty-four individuals.

Upon review of the testimony, your Committee finds that Major General Hara's experience, background, and knowledge of military and emergency management qualify him for appointment as the Adjutant General of the Department of Defense. Major General Hara has a career with the Hawaii National Guard spanning over thirty-eight years and has served as Adjutant General of the Department of Defense since 2019, where he oversaw the Hawaii Emergency Management Agency, Office of Homeland Security, and training and readiness of the 5,500 soldiers and airmen of the Hawaii National Guard. Major General Hara has a Master of Strategic Studies from the United States Army War College and a Bachelor of Arts degree in Human Services from Hawaii Pacific University. He also previously served as the Deputy Adjutant General of the Department of Defense; Chief of the Joint Staff of the Hawaii National Guard; Commander and Deputy Commander of the Twenty-Ninth Infantry Brigade Combat Team of the Hawaii Army National Guard; Deputy G3 of the Hawaii Army National Guard; and Battalion Commander of the First Squadron, Two Hundred Ninety-Ninth Cavalry and Second Battalion, Two Hundred Ninety-Ninth Infantry.

Your Committee finds that, over the course of Major General Hara's career with the Hawaii National Guard, he has commanded at every level. His military experience and leadership includes combat deployments to Iraq, Kuwait, and the Islamic Republic of Afghanistan, where he demonstrated his ability to defend the nation and its national interests. Additionally, Major General Hara has

received numerous awards and decorations, including the Legion of Merit, Bronze Star Medal, and Hawaii National Guard Association Field Grade Officer of the Year.

Your Committee further finds that, as Adjutant General and Deputy Adjutant General, Major General Hara led departmental initiatives related to natural disasters, including overseeing disaster response efforts with federal, state, county, and private partners across the State, and helped to maintain the State's force structures. Your Committee notes that Major General Hara was instrumental in the State's response to and recovery from the coronavirus disease 2019 (COVID-19) pandemic and served as the State's Incident Commander for the COVID-19 pandemic. As the Incident Commander, Major General Hara collaborated with a wide variety of stakeholders and government officials to safeguard the State's residents and visitors and organized and executed over \$100,000,000 of federal Coronavirus Aid, Relief, and Economic Security Act (CARES) funding to provide protective equipment, contact tracing, isolation, and sanitization capabilities to the State. Major General Hara was also designated as the Dual Status Commander for the 2018 Kilauea lava flow that threatened numerous lives and left a path of devastating destruction for many, as well as for Hurricane Lane that posed an immeasurable threat to the State that same year. As Dual Status Commander, he was afforded command authority over active duty forces, which is a testament to the confidence and regard the leadership of the United States Indo-Pacific Command has in his abilities. Your Committee, therefore, finds that Major General Hara has been an effective leader and has clearly demonstrated the capacity, technical knowledge, and leadership necessary to ensure the safety and security of Hawaii's people as the Adjutant General of the Department of Defense.

As affirmed by the record of votes of the members of your Committee on Public Safety and 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, 5. Noes, none. Excused, none.

**SCRep. 1436 Public Safety and Intergovernmental and Military Affairs on Gov. Msg. No. 510**

Recommending that the Senate advise and consent to the nomination of the following:

DIRECTOR, DEPARTMENT OF LAW ENFORCEMENT

G.M. No. 510 JORDAN LOWE, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Jordan Lowe for service as the Director of the Department of Law Enforcement.

Your Committee received testimony in support of the nomination for the appointment of Jordan Lowe from the Governor; Office of Enterprise Technology Services; Department of Land and Natural Resources; Department of Education; Department of Human Services; Department of Taxation; Department of Defense; Department of Public Safety; Department of Transportation; Department of Health; Department of Agriculture; Department of Labor and Industrial Relations; Hawaii Paroling Authority; Department of Budget and Finance; Hawai'i Office of Homeland Security; Hawai'i State Fusion Center; Office of Planning and Sustainable Development; Department of the Prosecuting Attorney of the City and County of Honolulu; State of Hawaii Organization of Police Officers; Hawaii High Intensity Drug Trafficking Area; Care Hawaii, Inc.; RD Aton Enterprises, LLC; and sixty-one individuals.

Upon review of the testimony, your Committee finds that Jordan Lowe's experience, background, and knowledge of law enforcement qualify him for appointment as the Director of the Department of Law Enforcement. Mr. Lowe has over forty years of law enforcement experience with various federal, state, and local law enforcement agencies. Most recently, Mr. Lowe served as Deputy Director of Law Enforcement for the Department of Public Safety, where he managed administrative oversight for the Sheriff Division and Narcotics Enforcement Division. He also previously served as the Chief Investigator for the Department of the Prosecuting Attorney of the City and County of Honolulu, Chief Special Agent for the Criminal Investigation Section of the Department of Taxation, and as the Resident Agent in Charge and a supervisory special agent for the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives. Prior to joining the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives in Honolulu, Mr. Lowe worked as a special agent for the Criminal Investigation Division of the Internal Revenue Service's San Francisco Field Division.

Your Committee finds that over the course of Mr. Lowe's career in law enforcement, he worked closely with law enforcement agencies at various levels of government. This is particularly critical in Hawaii where collaboration between agencies is essential in addressing multi-jurisdictional issues that are often a challenge to combating criminal activity in the State. He conducted significant multi-defendant narcotics investigations that were regional, national, and international in scope; provided technical assistance to state and local bomb squads as a Certified Explosives Specialist; directed other personnel assigned to high-risk operations as an Assistant Team Leader for Crisis Negotiations; and supervised and managed multifaceted financial investigations relating to Internal Revenue Service law enforcement. In addition to receiving numerous commendations and awards for performance in service, Mr. Lowe has also acquired the necessary managerial and supervisory experience to lead at the departmental level.

Your Committee notes that many testimonies in support of his appointment reference Mr. Lowe's considerable leadership skills, which has garnered the respect of those with whom he has interacted throughout his career based on his fairness, integrity, honesty, and strong work ethic. Your Committee, therefore, finds that Mr. Lowe brings to the Department of Law Enforcement extensive expertise in public service in law enforcement and will be a crucial asset in forming the newly-created Department, developing its investigation programs, and centralizing its enforcement functions.

As affirmed by the record of votes of the members of your Committee on Public Safety and 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, 5. Noes, none. Excused, none.

**SCRep. 1437 Agriculture and Environment on Gov. Msg. No. 501**

Recommending that the Senate advise and consent to the nomination of the following:

CHAIRPERSON, DEPARTMENT OF AGRICULTURE

G.M. No. 501 SHARON HURD, for a term to expire at noon on 12-31-2026

Your Committee reviewed the personal history, resume, and statement submitted by Sharon Hurd for service as the Chairperson of the Board of Agriculture.

Your Committee received testimony in support of Ms. Hurd's nomination and appointment as Chairperson of the Board of Agriculture from the Office of the Governor; Department of Health; Department of Transportation; Department of Budget and Finance; Department of Land and Natural Resources; Department of Labor and Industrial Relations; Department of Commerce and Consumer Affairs; Department of Taxation; Department of Public Safety; Office of Planning and Sustainable Development; Hawaii Technology Development Corporation; Office of Enterprise Technology Services; Maui County Farm Bureau; Hawaii Export Nursey Association; Big Island Association of Nurserymen; Pohaku Farm; Matson Navigation Company, Inc; Hawaii Harbor Users Group; Hawai'i Hemp Farmers Association; Kauai Kunana Dairy; Lokoea Farms; Puna Flower Power; Kuahiwi Ranch; MauiGrown Coffee, Inc.; Synergistic Hawaii Agriculture Council; North Shore Economic Vitality Partnership; Ponoholo Ranch Limited; Hawaii Farmers Union United; Kona Coffee Farmers Association; Kona Earth, LLC; Green Point Nurseries, Inc.; Huahua Farm; Meadow Gold Dairies Hawaii; Elevation Coffee Farm; Adaptations, Inc; Hawaii Foodservice Alliance, LLC; Hawaii Floriculture and Nursery Association; Orchid Growers of Hawai'i; Hawaii Tropical Flower Council; Hawaii Ulu Producers Cooperative; Diamond B Ranch, LLC; Hawai'i Alliance for Progressive Action; Hawaii Agriculture Research Center; Hawaii Food Industry Association; Funder Hui; Kona Perfect; Hawaii Meats, LLC; Larry Jefts Farms, LLC; Hawai'i Forest Industry Association; Kahua Pa'a Mua; Ho'ōla Farms; Palani Ranch; Wakefield and Sons, Inc.; Isla Custom Coffees, LLC; Hawaii Master Food Preservers; Rancho Aloha Coffee Farm; Ulupono Initiative; Hibiscus Lady Nursery; Hawaii Tropical Fruit Growers; Hawaii Coffee Association; Hawaii Cattlemen's Council, Inc.; Plant Hawaii; Hawai'i Farm Bureau; Hawaii Avocado Association; Hawaii Aquaculture and Aquaponics Association; Kau Coffee Growers Cooperative; Kapāpala Ranch; Manowaiopae Excellent Adventure Farm; Aina Ho'okupu o Kilauea; The Food Basket, Inc.; Mahi Pono; Rusty's Hawaiian, LLC; Island Harvest; Maui Floral; Waimanalo Agricultural Association; Trees for Honolulu's Future; Hawaii Organic Farming Association; Hua Orchards; and ninety-nine individuals.

Upon review of the testimony, your Committee finds that Ms. Hurd's background, experience, and desire to serve Hawai'i's agriculture community qualify her to be nominated for appointment as the Chairperson of the Board of Agriculture. Your Committee notes that Ms. Hurd has been with the Department of Agriculture since 2007 as a Business Development Program Manager where she focused primarily on securing and administering federal grants to increase the quantity and quality of locally grown food and to enhance the competitiveness of Hawai'i specialty crops. Furthermore, your Committee finds that Ms. Hurd has proved pivotal throughout several agricultural policy initiatives, which has allowed her to develop a reputation as a committed leader throughout Hawai'i's agricultural industry and state government.

Ms. Hurd earned her Bachelors of Arts in Zoology from the University of Hawaii at Manoa and worked at Delta Air Lines as a Cargo Sales Manager, gaining twenty-five years of experience and insight into air cargo sales, contract negotiation, logistical planning, and customer service. Ms. Hurd has a demonstrated track record of achievement that spans over forty years and a wide range of knowledge with state and federal regulations, specializing in procurement, grant administration, and contracting procedures.

As the Chairperson of Board of Agriculture, Ms. Hurd pledges to commit the Department of Agriculture to the full implementation of Act 90, Regular Session 2003 (Act 90), which was enacted to transfer certain non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture. While three hundred parcels consisting of approximately nineteen thousand acres have been transferred, many parcels have yet to be. Ms. Hurd pledges to complete this transfer in one year and to provide a progress report of the implementation of Act 90 in eight to nine months to the Legislature. Ms. Hurd additionally pledges to focus on biosecurity and invasive species management. Furthermore, as the Chairperson of the Board of Agriculture, Ms. Hurd's top priority will be to shift Hawai'i agriculture towards commercial production by supporting subsistence farmers to aid in their transition, and to develop a masterplan for food security that will support all of agriculture and its subsectors.

Ms. Hurd is also committed to expanding agriculture, with sensitivity towards farm buffer zones near residential areas, to ensure that neighborhoods bordering agricultural lands are not victims to unreasonable amounts of noise, debris, or smells that may reduce their quality of life. She is committed to compensating homeowners; redoing leases; and handling noise, debris, and pollution issues diplomatically, as is needed. Lastly, Ms. Hurd has made the commitment to your Committee to bring attention to the water meter issue on Molokai, where over twenty-five farmer and rancher retirees are being overcharged for water use despite the removal of their meters years ago, which are used to calculate water usage. Your Committee therefore recommends that Sharon Hurd be appointed as Chairperson of the Board of Agriculture based on her background, knowledge, and commitment to public service.

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, 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. 1438 (Joint) Agriculture and Environment and Health and Human Services on S.C.R. No. 3**

The purpose and intent of this measure is to request the Department of Health to adopt rules for a permit to discharge pollutants that include the major factors that are considered in identifying the functional equivalent of a direct discharge for point sources or non-point sources.

Your Committees received testimony in support of this measure from the Hawaii Reef and Ocean Coalition. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Health.

Your Committees find that on July 26, 2021, the Hawaii District Court concluded that the County of Maui was required to obtain a National Pollutant Discharge Elimination System permit for the Lahaina Wastewater Reclamation Facility's discharge into the Pacific Ocean based on the United States Supreme Court case ruling in *County of Maui v. Hawaii Wildlife Fund*. Furthermore, this measure requests that the Department of Health use the ruling of the United States Supreme Court in *County of Maui v. Hawaii Wildlife Fund* and guidelines established by the United States Environmental Protection Agency to adopt rules for a permit to discharge that include the major factors that are considered in identifying, for point sources or non-point sources, the functional equivalent of a direct discharge.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 3 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 1439 Higher Education on S.C.R. No. 27**

The purpose and intent of this measure is to request the University of Hawaii to support ending menstrual inequity by providing menstrual products to all persons, free of charge, in all University of Hawaii restrooms.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, University of Hawai'i System, Ma'i Movement Hawai'i, PERIOD., Hawaii Women's Coalition, Midwives Alliance of Hawaii, Zen Den Midwifery, and twenty-nine individuals.

Your Committee finds that menstrual products are essential to the physical and mental health, well-being, and full participation of menstruators. Despite the necessity of menstrual products for the maintenance of personal hygiene, menstrual products are not provided within all restrooms. This is in stark contrast to other necessary hygiene products, such as toilet paper and soap, which are provided at no cost to restroom users. In recognition of the critical role menstrual products play in menstruators' lives, and thus menstruators' education, various entities, of their own volition, have developed and implemented various initiatives to provide menstrual products, free of charge, in restrooms on all ten University of Hawaii campuses. However, due to the lack of institutional leadership and resources invested into providing menstrual products, distribution of these products is inconsistent and inequitable within and among campuses. Therefore, this measure requests the University of Hawaii to address this inequitable distribution, and the greater issue of menstrual inequity, by providing menstrual products in all University restrooms.

Your Committee has amended this measure by:

- (1) Inserting findings regarding the Phi Theta Kappa Honor Society at Kapiolani Community College's implementation of a pilot program, of their own volition, that provides menstrual products, free of charge, in Kapiolani Community College restrooms;
- (2) Inserting findings regarding the University of Hawaii at Hilo's independent implementation of a program that provides menstrual products, free of charge, in campus restrooms;
- (3) Clarifying that the University of Hawaii System is urged to provide menstrual products, free of charge, to all students at all university, community college, and education center campuses as part of a public health and education equity strategy that addresses economic disparities;
- (4) Requesting that, beginning in the fall semester of 2023, each University of Hawaii System Chancellor consult with the student council of the Chancellor's respective campus regarding the type and amount of menstrual products to be provided at the campus;
- (5) Requesting that the University of Hawaii System submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024 on the status of providing menstrual products, free of charge, to all of the System's campuses;
- (6) Requiring certified copies of this measure to be transmitted to the Chair of the Board of Regents of the University of Hawaii System, each University of Hawaii System Chancellor, and the Executive Director of Equity Assurance of the University of Hawaii;
- (7) Amending its title in accordance with 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 Higher Education 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, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1440 Higher Education on S.R. No. 23**

The purpose and intent of this measure is to request the University of Hawaii to support ending menstrual inequity by providing menstrual products to all persons, free of charge, in all University of Hawaii restrooms.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, University of Hawai'i System, Zen Den Midwifery, Ma'i Movement Hawai'i, PERIOD., Hawaii Women's Coalition, and twenty-four individuals.

Your Committee finds that menstrual products are essential to the physical and mental health, well-being, and full participation of menstruators. Despite the necessity of menstrual products for the maintenance of personal hygiene, menstrual products are not provided within all restrooms. This is in stark contrast to other necessary hygiene products, such as toilet paper and soap, which are provided at no cost to restroom users. In recognition of the critical role menstrual products play in menstruators' lives, and thus menstruators' education, various entities, of their own volition, have developed and implemented various initiatives to provide menstrual products, free of charge, in restrooms on all ten University of Hawaii campuses. However, due to the lack of institutional leadership and resources invested into providing menstrual products, distribution of these products is inconsistent and inequitable within and among campuses. Therefore, this measure requests the University of Hawaii to address this inequitable distribution, and the greater issue of menstrual inequity, by providing menstrual products in all University restrooms.

Your Committee has amended this measure by:

- (1) Inserting findings regarding the Phi Theta Kappa Honor Society at Kapiolani Community College's implementation of a pilot program, of their own volition, that provides menstrual products, free of charge, in Kapiolani Community College restrooms;
- (2) Inserting findings regarding the University of Hawaii at Hilo's independent implementation of a program that provides menstrual products, free of charge, in campus restrooms;
- (3) Clarifying that the University of Hawaii System is urged to provide menstrual products, free of charge, to all students at all university, community college, and education center campuses as part of a public health and education equity strategy that addresses economic disparities;
- (4) Requesting that, beginning in the fall semester of 2023, each University of Hawaii System Chancellor consult with the student council of the Chancellor's respective campus regarding the type and amount of menstrual products to be provided at the campus;
- (5) Requesting that the University of Hawaii System submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024 on the status of providing menstrual products, free of charge, to all of the System's campuses;
- (6) Requiring certified copies of this measure to be transmitted to the Chair of the Board of Regents of the University of Hawaii System, each University of Hawaii System Chancellor, and the Executive Director of Equity Assurance of the University of Hawaii;
- (7) Amending its title in accordance with 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 Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 23, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 23, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1441 Transportation and Culture and the Arts on S.C.R. No. 62**

The purpose and intent of this measure is to request the Department of Transportation to create a second access point from Whitmore Village via Saipan Road to Kamehameha Highway to alleviate traffic on Whitmore Avenue.

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

Your Committee finds that the population of Whitmore Village has increased by almost one thousand residents between 2000 and 2020. Further, Whitmore Village is also the site of the Naval Computer and Telecommunications Area Master Station Pacific and National Security Agency Hawaii, in addition to agricultural lands that are being developed for food production. Despite the increase of economic activity in the area, there is only one ingress and egress from Whitmore Village to Kamehameha Highway, creating traffic congestion within Whitmore Village. This measure requests a multi-jurisdictional approach between state and federal agencies to alleviate traffic congestion in Whitmore Village.

Your Committee has amended this measure by:

- (1) Requesting the Naval Computer and Telecommunications Area Master Station Pacific to assist the Department of Transportation with the creation of an access road;
- (2) Adding the Commanding Officer of the Naval Computer and Telecommunications Area Master Station Pacific to the list of recipients of 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 Transportation and Culture and the Arts 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 its adoption in the form attached hereto as S.C.R. No. 62, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.



**SCRep. 1442 Transportation and Culture and the Arts on S.R. No. 56**

The purpose and intent of this measure is to request the Department of Transportation to create a second access point from Whitmore Village via Saipan Road to Kamehameha Highway to alleviate traffic on Whitmore Avenue.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the population of Whitmore Village has increased by almost one thousand residents between 2000 and 2020. Further, Whitmore Village is also the site of the Naval Computer and Telecommunications Area Master Station Pacific and National Security Agency Hawaii, in addition to agricultural lands that are being developed for food production. Despite the increase of economic activity in the area, there is only one ingress and egress from Whitmore Village to Kamehameha Highway, creating traffic congestion within Whitmore Village. This measure requests a multi-jurisdictional approach between state and federal agencies to alleviate traffic congestion in Whitmore Village.

Your Committee has amended this measure by:

- (1) Requesting the Naval Computer and Telecommunications Area Master Station Pacific to assist the Department of Transportation with the creation of an access road;
- (2) Adding the Commanding Officer of the Naval Computer and Telecommunications Area Master Station Pacific to the list of recipients of 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 Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 56, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 56, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1443 Transportation and Culture and the Arts on S.C.R. No. 145**

The purpose and intent of this measure is to request the Department of Transportation to study the feasibility and advisability of eliminating the State's safety inspection requirements for motor vehicles.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation. Your Committee received comments on this measure from the Hawaii Transportation Association and Grassroot Institute of Hawaii.

Your Committee finds that motor vehicle safety inspections are a tool designed to ensure all motor vehicles meet minimum safety standards. Presently, it is unclear whether the costs of overseeing and enforcing motor vehicle safety inspections are justified by the benefits of inspection, as vehicle component failure is a factor in a very small percentage of motor vehicle accidents in the State and nationally. Other factors, such as alcohol, speed, and distracted driving, are the leading causes of fatal traffic accidents in the State. This measure considers the feasibility of eliminating the State's safety inspection requirements while also studying alternatives to ensure the safety of all roadway users.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Transportation is requested to study the State's safety inspection requirements for motor vehicles, rather than motor carrier vehicles; and
- (2) Amending its title in accordance with its amended purpose.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 145, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 145, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1444 Transportation and Culture and the Arts on S.R. No. 136**

The purpose and intent of this measure is to request the Department of Transportation to study the feasibility and advisability of eliminating the State's safety inspection requirements for motor vehicles.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation. Your Committee received comments on this measure from the Hawaii Transportation Association and Grassroot Institute of Hawaii.

Your Committee finds that motor vehicle safety inspections are a tool designed to ensure all motor vehicles meet minimum safety standards. Presently, it is unclear whether the costs of overseeing and enforcing motor vehicle safety inspections are justified by the benefits of inspection, as vehicle component failure is a factor in a very small percentage of motor vehicle accidents in the State and nationally. Other factors, such as alcohol, speed, and distracted driving, are the leading causes of fatal traffic accidents in the State. This measure considers the feasibility of eliminating the State's safety inspection requirements while also studying alternatives to ensure the safety of all roadway users.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Transportation is requested to study the State's safety inspection requirements for motor vehicles, rather than motor carrier vehicles; and
- (2) Amending its title in accordance with its amended purpose.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 136, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 136, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1445 Transportation and Culture and the Arts on S.R. No. 74**

The purpose and intent of this measure is to request the Department of Transportation and all county transportation departments to install designations of "Do Not Block" and related signage at high traffic intersections.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that Act 54, Session Laws of Hawaii 2009, requires the Department of Transportation and county transportation departments to adopt "Complete Streets" policies that provide safe access and mobility for all users of public roadways. However, traffic congestion prevents pedestrians, transit users, bicyclists, and other roadway users from safely utilizing public sidewalks or crosswalks. Additionally, traffic congestion is most prevalent at busy intersections, resulting in dangerous situations that may lead to severe injuries or death. Creating additional traffic control devices such as markings and signage, including paint lines on roadways, may improve traffic congestion and driver awareness. This measure requests additional traffic control signage to alleviate issues caused by traffic congestion while also ensuring the safety of all roadway users.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 74 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1446 Transportation and Culture and the Arts on S.R. No. 38**

The purpose and intent of this measure is to request the Department of Transportation to evaluate certain Aiea roadways and identify opportunities for improvement of traffic conditions and pedestrian safety.

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

Your Committee finds that drivers who perform dangerous maneuvers such as illegal U-turns endanger oncoming traffic and pedestrian safety. Certain intersections such as Moanalua Road and Kaimakani Street in Aiea, Oahu, experience a high frequency of U-turns that may create hazardous road conditions. This measure requests the Department of Transportation to evaluate certain roadways in Aiea to create safer traffic conditions for all roadway users.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 38 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1447 (Joint) Water and Land and Agriculture and Environment on S.C.R. No. 113**

The purpose and intent of this measure is to urge the Department of Land and Natural Resources to minimize human interaction at certain locations during coral spawning events.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Reef and Ocean Coalition, Environmental Caucus of the Democratic Party of Hawai'i, Friends of Hanauma Bay, and four individuals.

Your Committees find that human interference shortly after once-a-year coral spawning events -- such as swimming, snorkeling, and scuba diving -- can imperil coral colonies by preventing coral larvae from safely settling into reefs. Your Committees find that efforts in Kahuluu Bay and Waiakea Bay State Park to minimize human interference for several days after a spawning event have successfully increased the amount of juvenile corals in these areas. Therefore, this measure requests the Department of Land and Natural Resources to expand on this success and take certain actions to support healthier coral reefs.

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 concur with the intent and purpose of S.C.R. No. 113 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.  
Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).  
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1448 (Joint) Water and Land and Agriculture and Environment on S.R. No. 106**

The purpose and intent of this measure is to urge the Department of Land and Natural Resources to minimize human interaction at certain locations during coral spawning events.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Environmental Caucus of the Democratic Party of Hawai'i, and two individuals.

Your Committees find that human interference shortly after once-a-year coral spawning events -- such as swimming, snorkeling, and scuba diving -- can imperil coral colonies by preventing coral larvae from safely settling into reefs. Your Committees find that efforts in Kahului Bay and Waiakea Bay State Park to minimize human interference for several days after a spawning event have successfully increased the amount of juvenile corals in these areas. Therefore, this measure requests the Department of Land and Natural Resources to expand on this success and take certain actions to support healthier coral reefs.

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 concur with the intent and purpose of S.R. No. 106 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1449 Water and Land on S.C.R. No. 140**

The purpose and intent of this measure is to request the Department of Land and Natural Resources to investigate the causes of and update key information on, including facts and statistics, the decline on Mauna Kea of the critically endangered Palila bird (*Loxioides bailleui*), also known as the finch-billed Hawaiian honeycreeper.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Forest Industry Association, and four individuals.

Your Committee finds that the Palila is a critically endangered bird found only in Hawaii, with nearly all of its population residing within the Mauna Kea Conservation District on Hawaii island. Your Committee further finds that for decades, the presence of sheep and goat populations threatened the Mauna Kea Mamane-Naio Forest, which contributed to the decline of Palila in the area. However, despite eradication efforts to remove sheep and goats from the Palila's habitat and the subsequent full recovery of the Mauna Kea Mamane-Naio Forest, the population of mature adult Palila on Mauna Kea is still just one thousand. Therefore, this measure requests the Department of Land and Natural Resources to further study the causes of Palila decline and specifically requests the Department to investigate what effect the eradication of sheep and goats had on the Palila population.

Your Committee has amended this measure by making a technical, nonsubstantive amendment to its title 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. 140, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 140, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1450 Water and Land on S.R. No. 215**

The purpose and intent of this measure is to request the Department of Land and Natural Resources to investigate the causes of and update key information on, including facts and statistics, the decline on Mauna Kea of the critically endangered Palila bird (*Loxioides bailleui*), also known as the finch-billed Hawaiian honeycreeper.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and two individuals.

Your Committee finds that the Palila is a critically endangered bird found only in Hawaii, with nearly all of its population residing within the Mauna Kea Conservation District on Hawaii island. Your Committee further finds that for decades, the presence of sheep and goat populations threatened the Mauna Kea Mamane-Naio Forest, which contributed to the decline of Palila in the area. However, despite eradication efforts to remove sheep and goats from the Palila's habitat and the subsequent full recovery of the Mauna Kea Mamane-Naio Forest, the population of mature adult Palila on Mauna Kea is still just one thousand. Therefore, this measure requests the Department of Land and Natural Resources to further study the causes of Palila decline and specifically requests the Department to investigate what effect the eradication of sheep and goats had on the Palila population.

Your Committee has amended this measure by making a technical, nonsubstantive amendment to its title 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. 215, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 215, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1451 Water and Land on S.C.R. No. 95**

The purpose and intent of this measure is to urge the Department of Land and Natural Resources to protect Hawaii's waters and resources by prohibiting seabed mining.

Your Committee received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition and Ocean Tourism Coalition.

Your Committee finds that the high demand for metals used in everyday devices -- such as cellphones, computers, and cars -- has pushed the mining industry to explore the world's deepest oceans where vast quantities of these critical materials are present. Your Committee further finds that while seabed mining might present a tremendous financial opportunity for some, those gains must be

weighed against the potential damage to the environment and marine ecosystems that might result from such an activity, which in some cases may be irreversible. Your Committee finds that annually, Hawaii's pristine waters provide residents with approximately \$13,400,000 from fishing and an estimated \$1,230,000,000 from tourism, which could easily be placed at risk due to seabed mining. Therefore, this measure urges the Department of Land and Natural Resources to prohibit seabed mining in state waters to preserve Hawaii's irreplaceable ocean and marine ecosystems that are integral to the State's economy and unique island 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 Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 95, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 95, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1452 Water and Land on S.R. No. 88**

The purpose and intent of this measure is to urge the Department of Land and Natural Resources to protect Hawaii's waters and resources by prohibiting seabed mining.

Your Committee received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition, Ocean Tourism Coalition, and one individual.

Your Committee finds that the high demand for metals used in everyday devices -- such as cellphones, computers, and cars -- has pushed the mining industry to explore the world's deepest oceans where vast quantities of these critical materials are present. Your Committee further finds that while seabed mining might present a tremendous financial opportunity for some, those gains must be weighed against the potential damage to the environment and marine ecosystems that might result from such an activity, which in some cases may be irreversible. Your Committee finds that annually, Hawaii's pristine waters provide residents with approximately \$13,400,000 from fishing and an estimated \$1,230,000,000 from tourism, which could easily be placed at risk due to seabed mining. Therefore, this measure urges the Department of Land and Natural Resources to prohibit seabed mining in state waters to preserve Hawaii's irreplaceable ocean and marine ecosystems that are integral to the State's economy and unique island 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 Water and Land 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, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1453 Water and Land on S.R. No. 83**

The purpose and intent of this measure is to request the Task Force on Beach and Water Safety to resume convening regular meetings as mandated by law and provide a current status report to the Legislature.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that Act 190, Session Laws of Hawaii 1996 (Act 190), established a Task Force on Beach and Water Safety to advise the Chairperson of the Board of Land and Natural Resources as to the best design of and placement for legally adequate warning signs for public beach parks with dangerous shore breaks or strong currents. Your Committee further finds that Act 190 required the Task Force to regularly convene and to submit an annual report to the Legislature. However, despite this, the Task Force has not met since December 12, 2012, and the Legislature has not received any substantive information relating to any Task Force accomplishments, an inventory of existing warning signs on public beach parks, nor summaries as to the effectiveness of these signs in preventing drownings and serious injuries. Therefore, this measure requests the Task Force to resume compliance with Act 190 and to provide a current status report to the Legislature as soon as practicable.

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. 83 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1454 (Majority) Transportation and Culture and the Arts on S.C.R. No. 33**

The purpose and intent of this measure is to urge the counties to implement and enforce regulations that ensure car sharing services and operations do not negatively impact the traffic, parking, and character of residential neighborhoods.

Your Committee received comments on this measure from Turo, Inc.

Your Committee finds that visitor industry regulations protect the social, economic, and environmental needs of Hawaii's residents, businesses, and visitors. The proliferation of car sharing platforms in recent years has created issues in certain neighborhoods, as car owners may park their vehicles in residential lots or along neighborhood streets that do not have the capacity to host non-residential vehicles and take away parking spaces for residents. Additionally, persons utilizing car sharing platforms may conduct business from their personal residence, creating traffic, noise, and safety concerns within neighborhoods. This measure urges greater accountability and oversight of car sharing platforms to preserve the character of residential neighborhoods.

Your Committee has amended this measure by:

- (1) Urging the counties to limit peer-to-peer ride share parking on public streets as appropriate based on the needs of any given neighborhood; 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 and Culture and the Arts 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, 1 (Awa). Excused, none.

**SCRep. 1455 (Majority) Transportation and Culture and the Arts on S.R. No. 27**

The purpose and intent of this measure is to urge the counties to implement and enforce regulations that ensure car sharing services and operations do not negatively impact the traffic, parking, and character of residential neighborhoods.

Your Committee received comments on this measure from Turo, Inc.

Your Committee finds that visitor industry regulations protect the social, economic, and environmental needs of Hawaii's residents, businesses, and visitors. The proliferation of car sharing platforms in recent years has created issues in certain neighborhoods, as car owners may park their vehicles in residential lots or along neighborhood streets that do not have the capacity to host non-residential vehicles and take away parking spaces for residents. Additionally, persons utilizing car sharing platforms may conduct business from their personal residence, creating traffic, noise, and safety concerns within neighborhoods. This measure urges greater accountability and oversight of car sharing platforms to preserve the character of residential neighborhoods.

Your Committee has amended this measure by:

- (1) Urging the counties to limit peer-to-peer ride share parking on public streets as appropriate based on the needs of any given neighborhood; 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 and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 27, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 27, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1456 Transportation and Culture and the Arts on S.C.R. No. 7**

The purpose and intent of this measure is to urge the City and County of Honolulu to improve access of TheBus in Oahu's rural communities.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and one individual.

Your Committee finds that TheBus is the primary public transportation service on Oahu, especially for Oahu's rural communities. Additionally, for senior citizens, persons with disabilities, and low-income residents living in rural areas, utilizing TheBus may be the only means to obtain groceries, access health care services, attend classes, or commute to work. Further, certain areas such as the neighborhood encompassing Kapilina Beach Homes in Ewa Beach, Oahu, do not have safe infrastructure for pedestrians and users of TheBus, creating hazardous conditions. While TheBus operates one hundred seven different routes throughout the island, creating greater access to public transportation services will allow Hawaii's people to safely commute between destinations. This measure prioritizes the safety of Hawaii's people while urging the expansion of key city infrastructure to provide more residents with opportunities to utilize public transportation.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts 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, 5. Noes, none. Excused, none.

**SCRep. 1457 Transportation and Culture and the Arts on S.R. No. 5**

The purpose and intent of this measure is to urge the City and County of Honolulu to improve access of TheBus in Oahu's rural communities.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and one individual.

Your Committee finds that TheBus is the primary public transportation service on Oahu, especially for Oahu's rural communities. Additionally, for senior citizens, persons with disabilities, and low-income residents living in rural areas, utilizing TheBus may be the only means to obtain groceries, access health care services, attend classes, or commute to work. Further, certain areas such as the neighborhood encompassing Kapilina Beach Homes in Ewa Beach, Oahu, do not have safe infrastructure for pedestrians and users of TheBus, creating hazardous conditions. While TheBus operates one hundred seven different routes throughout the island, creating greater access to public transportation services will allow Hawaii's people to safely commute between destinations. This measure

prioritizes the safety of Hawaii's people while urging the expansion of key city infrastructure to provide more residents with opportunities to utilize public transportation.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 5 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1458 Transportation and Culture and the Arts on S.C.R. No. 170**

The purpose and intent of this measure is to urge the Department of Transportation to establish a working group to evaluate options that provide additional air service to remote and underserved communities across the State.

Your Committee received testimony in support of this measure from the Department of Transportation, State Council on Developmental Disabilities, Hawaii's Tourism Authority, Hawaii Self-Advocacy Advisory Council, and nine individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that as an island state, Hawaii is reliant upon air travel to ensure residents and tourists have timely transportation options to navigate between islands. However, since January 2021, only one passenger airline has provided service to the general public out of Molokai Airport. The limited service between Molokai Airport and other destinations has led to costly ticket prices and limited flights, leaving many residents who travel for essential reasons such as work, medical appointments, and family stranded without a way to and from Molokai. As air travel is under the jurisdiction of the Federal Aviation Administration, collaboration between federal, state, and county agencies may provide solutions to ensure residents have access to multiple air travel options. This measure addresses ongoing limited air travel issues in underserved and rural communities across the State to provide residents with affordable, consistent options to navigate around the State.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 170 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1459 Transportation and Culture and the Arts on S.R. No. 128**

The purpose and intent of this measure is to urge the Department of Transportation to establish a working group to evaluate options that provide additional air service to remote and underserved communities across the State.

Your Committee received testimony in support of this measure from the Department of Transportation, State Council on Developmental Disabilities, Hawaii Tourism Authority, and three individuals.

Your Committee finds that as an island state, Hawaii is reliant upon air travel to ensure residents and tourists have timely transportation options to navigate between islands. However, since January 2021, only one passenger airline has provided service to the general public out of Molokai Airport. The limited service between Molokai Airport and other destinations has led to costly ticket prices and limited flights, leaving many residents who travel for essential reasons such as work, medical appointments, and family stranded without a way to and from Molokai. As air travel is under the jurisdiction of the Federal Aviation Administration, collaboration between federal, state, and county agencies may provide solutions to ensure residents have access to multiple air travel options. This measure addresses ongoing limited air travel issues in underserved and rural communities across the State to provide residents with affordable, consistent options to navigate around the State.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 128 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1460 Transportation and Culture and the Arts on S.C.R. No. 106**

The purpose and intent of this measure is to urge the Department of Transportation and the Department of Transportation Services of the City and County of Honolulu to construct elevated crosswalks along Meheula Parkway near Mililani High School.

Your Committee received testimony in support of this measure from the Department of Transportation and Ulupono Initiative.

Your Committee finds that the State averages twenty-eight pedestrian fatalities annually on roads without proper crosswalks. However, pedestrians are still at risk of serious injury or death when drivers fail to yield to the pedestrian's right-of-way on proper crosswalks. The recent death of a McKinley High School student has demonstrated that drivers can be reckless, especially around school campuses, as evidenced by disregard of speed limits and other traffic laws. Your Committee further finds that in some areas, raised crosswalks may make pedestrians more visible to drivers and can reduce the likelihood of vehicular collisions.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts 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, 5. Noes, none. Excused, none.

**SCRep. 1461 Transportation and Culture and the Arts on S.R. No. 95**

The purpose and intent of this measure is to urge the Department of Transportation and the Department of Transportation Services of the City and County of Honolulu to construct elevated crosswalks along Meheula Parkway near Mililani High School.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the State averages twenty-eight pedestrian fatalities annually on roads without proper crosswalks. However, pedestrians are still at risk of serious injury or death when drivers fail to yield to the pedestrian's right-of-way on proper crosswalks. The recent death of a McKinley High School student has demonstrated that drivers can be reckless, especially around school campuses, as evidenced by disregard of speed limits and other traffic laws. Your Committee further finds that in some areas, raised crosswalks may make pedestrians more visible to drivers and can reduce the likelihood of vehicular collisions.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 95 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1462 Transportation and Culture and the Arts on S.C.R. No. 31**

The purpose and intent of this measure is to urge the Department of Transportation to construct an all-way crosswalk along the cross-streets of Kahualii Street, Waipio Point Access Road, and Farrington Highway, on the island of Oahu.

Your Committee received testimony in support of this measure from the Department of Education and Ulupono Initiative.

Your Committee finds that pedestrian safety is of paramount importance. On average, there are twenty-eight pedestrian fatalities annually on roads without proper crosswalks. In certain high traffic congestion areas such as the area surrounding Waipahu High School, pedestrian and vehicular traffic congestion creates hazardous conditions. For example, students and residents who cross the road near Waipahu High School need to cross multiple times to reach their destinations. Additionally, pedestrian islands are often overflowing, causing some students and pedestrians to be pushed into the flow of traffic. This measure creates additional safety measures for area students and residents while also alleviating traffic congestion and public safety concerns.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 31 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1463 Transportation and Culture and the Arts on S.R. No. 25**

The purpose and intent of this measure is to urge the Department of Transportation to construct an all-way crosswalk along the cross-streets of Kahualii Street, Waipio Point Access Road, and Farrington Highway, on the island of Oahu.

Your Committee did not receive any testimony on this measure.

Your Committee finds that pedestrian safety is of paramount importance. On average, there are twenty-eight pedestrian fatalities annually on roads without proper crosswalks. In certain high traffic congestion areas such as the area surrounding Waipahu High School, pedestrian and vehicular traffic congestion creates hazardous conditions. For example, students and residents who cross the road near Waipahu High School need to cross multiple times to reach their destinations. Additionally, pedestrian islands are often overflowing, causing some students and pedestrians to be pushed into the flow of traffic. This measure creates additional safety measures for area students and residents while also alleviating traffic congestion and public safety concerns.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 25 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1464 Transportation and Culture and the Arts on S.C.R. No. 59**

The purpose and intent of this measure is to urge the State of Hawaii, City and County of Honolulu, federal entities, and private land owners to work together to immediately open the section of the Waianae Coast Emergency Access Road 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 one individual.

Your Committee finds that Farrington Highway is the main route of travel for communities of the Leeward Coast of Oahu and is the only public highway that leads into and out of the region. As a major artery for the Leeward Coast, Farrington Highway has experienced lane closures or complete shutdowns on numerous occasions due to traffic accidents, severe weather, and construction work. However, a system of roads known collectively as the Waianae Coast Emergency Access Road, a network under the jurisdiction of the Department of Emergency Management of the City and County of Honolulu, are gated unless opened when deemed necessary or when requested by the Honolulu Police Department.

Your Committee further finds that while the Legislature adopted H.C.R. No. 197 in 2017, urging the Department of Transportation to work in conjunction with the Departments of Emergency Management and Transportation Services of the City and County of Honolulu and Honolulu Police Department to assess the feasibility of opening the Waianae Coast Emergency Access Road, work has yet to be completed on opening the locked gates for a parallel route. This measure urges a multi-departmental approach to fulfill a critical need for an alternate route along the Leeward Coast to alleviate traffic and improve public safety.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 59 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1465 Transportation and Culture and the Arts on S.R. No. 53**

The purpose and intent of this measure is to urge the State of Hawaii, City and County of Honolulu, federal entities, and private land owners to work together to immediately open the section of the Waianae Coast Emergency Access Road extending Paakea Road out to Lualualei Naval Road for public use on a permanent basis.

Your Committee did not receive any testimony on this measure.

Your Committee finds that Farrington Highway is the main route of travel for communities of the Leeward Coast of Oahu and is the only public highway that leads into and out of the region. As a major artery for the Leeward Coast, Farrington Highway has experienced lane closures or complete shutdowns on numerous occasions due to traffic accidents, severe weather, and construction work. However, a system of roads known collectively as the Waianae Coast Emergency Access Road, a network under the jurisdiction of the Department of Emergency Management of the City and County of Honolulu, are gated unless opened when deemed necessary or when requested by the Honolulu Police Department.

Your Committee further finds that while the Legislature adopted H.C.R. No. 197 in 2017, urging the Department of Transportation to work in conjunction with the Departments of Emergency Management and Transportation Services of the City and County of Honolulu and Honolulu Police Department to assess the feasibility of opening the Waianae Coast Emergency Access Road, work has yet to be completed on opening the locked gates for a parallel route. This measure urges a multi-departmental approach to fulfill a critical need for an alternate route along the Leeward Coast to alleviate traffic and improve public safety.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 53 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1466 Transportation and Culture and the Arts on S.C.R. No. 93**

The purpose and intent of this measure is to request the Department of Transportation, in coordination with the Department of Transportation Services of the City and County of Honolulu, to install speed bumps and other traffic calming structures on Ala Aolani Street in Moanalua Valley and other surrounding streets deemed appropriate to deter speeding.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that Moanalua Valley is a residential area that is home to several thousand residents and also includes a golf course, neighborhood park, popular hiking trail, and nearby entrance and exit to Interstate H-201. Ala Aolani Street is the main roadway in Moanalua Valley that is utilized by pedestrians, bicyclists, and resident and visitor drivers. However, there has been a high frequency of speeding cars on Ala Aolani Street, which has a twenty-five mile per hour limit. This measure requests a multi-departmental approach to address safety concerns arising from the high frequency of speeding cars in the area; traffic calming methods such as speed bumps and roundabouts may make Ala Aolani Street safer for all roadway users.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 93 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1467 Transportation and Culture and the Arts on S.R. No. 86**

The purpose and intent of this measure is to request the Department of Transportation, in coordination with the Department of Transportation Services of the City and County of Honolulu, to install speed bumps and other traffic calming structures on Ala Aolani Street in Moanalua Valley and other surrounding streets deemed appropriate to deter speeding.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that Moanalua Valley is a residential area that is home to several thousand residents and also includes a golf course, neighborhood park, popular hiking trail, and nearby entrance and exit to Interstate H-201. Ala Aolani Street is the main roadway in Moanalua Valley that is utilized by pedestrians, bicyclists, and resident and visitor drivers. However, there has been a high frequency of speeding cars on Ala Aolani Street, which has a twenty-five mile per hour limit. This measure requests a multi-departmental approach to address safety concerns arising from the high frequency of speeding cars in the area; traffic calming methods such as speed bumps and roundabouts may make Ala Aolani Street safer for all roadway users.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 86 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1468 Transportation and Culture and the Arts on S.C.R. No. 73**

The purpose and intent of this measure is to request the Department of Transportation to conduct an assessment report to evaluate the feasibility and practicality of implementing higher levels of commercial general liability insurance for the general aviation industry and helicopter operations at airports in the State.



Your Committee received testimony in support of this measure from Blue Hawaiian, Air Methods, Aeroplex Group Partners, and one individual.

Your Committee finds that the general aviation industry and operation of helicopters in a safe manner is of paramount importance. Higher levels of required commercial general liability insurance may be associated with increased private sector incentives to adopt national or worldwide best practices. The Airports Council International – North America conducted a study on the adequacy of insurance coverage requirements beginning in 2006. The study found that general liability limits across the country identified ranges of \$1,000,000 at San Francisco International Airport to a maximum value of \$300,000,000 at John F. Kennedy International Airport. This measure provides an opportunity for the Department of Transportation to collect valuable data to ensure the general aviation industry, particularly helicopters, hold sufficient levels of general liability insurance for the safety of operators and passengers.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 73 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1469 Transportation and Culture and the Arts on S.R. No. 65**

The purpose and intent of this measure is to request the Department of Transportation to conduct an assessment report to evaluate the feasibility and practicality of implementing higher levels of commercial general liability insurance for the general aviation industry and helicopter operations at airports in the State.

Your Committee received testimony in support of this measure from Blue Hawaiian, Air Methods, Aeroplex Group Partners, and one individual.

Your Committee finds that the general aviation industry and operation of helicopters in a safe manner is of paramount importance. Higher levels of required commercial general liability insurance may be associated with increased private sector incentives to adopt national or worldwide best practices. The Airports Council International – North America conducted a study on the adequacy of insurance coverage requirements beginning in 2006. The study found that general liability limits across the country identified ranges of \$1,000,000 at San Francisco International Airport to a maximum value of \$300,000,000 at John F. Kennedy International Airport. This measure provides an opportunity for the Department of Transportation to collect valuable data to ensure the general aviation industry, particularly helicopters, hold sufficient levels of general liability insurance for the safety of operators and passengers.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 65 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1470 Health and Human Services on S.C.R. No. 51**

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 comments on this measure from the Department of Human Services.

Your Committee finds that roughly ten percent of foster children in the United States are entitled to Social Security benefits due to the death of their parents or a physical or mental disability. Your Committee further finds that the recent decision by New York City child welfare officials to deposit foster children's Social Security payments into savings accounts, which the children may access when they return to their families, are adopted, or age out of foster care, may help these children achieve financial independence after they age out of foster care. Therefore, this measure supports the financial well-being of foster children by requesting the Department of Human Services to follow the example set by New York City and deposit foster children's Social Security payments into savings accounts rather than intercepting these payments.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 51 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1471 Health and Human Services on S.R. No. 46**

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 comments on this measure from the Department of Human Services.

Your Committee finds that roughly ten percent of foster children in the United States are entitled to Social Security benefits due to the death of their parents or a physical or mental disability. Your Committee further finds that the recent decision by New York City child welfare officials to deposit foster children's Social Security payments into savings accounts, which the children may access when

they return to their families, are adopted, or age out of foster care, may help these children achieve financial independence after they age out of foster care. Therefore, this measure supports the financial well-being of foster children by requesting the Department of Human Services to follow the example set by New York City and deposit foster children's Social Security payments into savings accounts rather than intercepting these payments.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 46 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1472 Health and Human Services on S.C.R. No. 88**

The purpose and intent of this measure is to request the Office of Wellness and Resilience to establish the Malama Ohana Working Group to identify, design, and recommend transformative changes to the State's child welfare system.

Your Committee received testimony in support of this measure from the Office of Wellness and Resilience, Nā Kama a Hāloa, Hawai'i Youth Services Network, Pū'ā Foundation, and three individuals.

Your Committee finds that there is a collective desire to reform the state child welfare system, particularly in regard to the overrepresentation of Native Hawaiian children and families within the system. Collaboration between the State and its communities is critical to these reform efforts due to the complexity and diversity of the issues children and families involved in the state child welfare system face. Formed and prototyped by Nā Kama a Hāloa, a network of more than thirty community organizations and individuals with lived experience in the state child welfare system, the Malama Ohana Working Group exemplifies this collaborative, community approach and has successfully implemented several projects that have led to system reforms. This measure therefore supports the continuation of the Malama Ohana Working Group to uplift the voices of those with lived experience in the state child welfare system and provide community input for the system's improvement.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 88 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1473 Health and Human Services on S.R. No. 79**

The purpose and intent of this measure is to request the Office of Wellness and Resilience to establish the Malama Ohana Working Group to identify, design, and recommend transformative changes to the State's child welfare system.

Your Committee received testimony in support of this measure from the Office of Wellness and Resilience, Hawai'i Youth Services Network, and one individual.

Your Committee finds that there is a collective desire to reform the state child welfare system, particularly in regard to the overrepresentation of Native Hawaiian children and families within the system. Collaboration between the State and its communities is critical to these reform efforts due to the complexity and diversity of the issues children and families involved in the state child welfare system face. Formed and prototyped by Nā Kama a Hāloa, a network of more than thirty community organizations and individuals with lived experience in the state child welfare system, the Malama Ohana Working Group exemplifies this collaborative, community approach and has successfully implemented several projects that have led to system reforms. This measure therefore supports the continuation of the Malama Ohana Working Group to uplift the voices of those with lived experience in the state child welfare system and provide community input for the system's improvement.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 79 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1474 Labor and Technology on S.C.R. No. 117**

The purpose and intent of this measure is to request that the Department of Labor and Industrial Relations conduct a study of the exemptions to Hawaii's minimum wage law that specifically consider the exemptions from the definition of "employee" that are contained in section 387-1, Hawaii Revised Statutes, including whether any of those exemptions should be repealed.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Education Caucus of the Democratic Party of Hawai'i, Labor Caucus of the Democratic Party of Hawai'i, Imua Alliance, Hawaii State AFL-CIO, International Alliance of Theatrical Stage Employees Local 665, Hawai'i Workers Center, and three individuals.

Your Committee finds that an evaluation of the exemptions of Hawaii's minimum wage law will help determine whether amendments are appropriate and necessary. Your Committee notes that one of the exemptions is for workers who are guaranteed compensation totaling \$2,000 or more a month. Your Committee recognizes that with the minimum wage increase schedule enacted through Act 114, Session Laws of 2022, a worker under this exemption would progressively earn below the minimum wage through 2028. This measure is intended to ensure that Hawaii's working families are able to meet their basic needs as the cost of living in the State continues to increase.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 117 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1475 Labor and Technology on S.R. No. 129**

The purpose and intent of this measure is to request that the Department of Labor and Industrial Relations conduct a study of the exemptions to Hawaii's minimum wage law that specifically consider the exemptions from the definition of "employee" that are contained in section 387-1, Hawaii Revised Statutes, including whether any of those exemptions should be repealed.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Education Caucus of the Democratic Party of Hawai'i, Labor Caucus of the Democratic Party of Hawai'i, Imua Alliance, Hawaii State AFL-CIO, International Alliance of Theatrical Stage Employees Local 665, Hawai'i Workers Center, and three individuals.

Your Committee finds that an evaluation of the exemptions of Hawaii's minimum wage law will help determine whether amendments are appropriate and necessary. Your Committee notes that one of the exemptions is for workers who are guaranteed compensation totaling \$2,000 or more a month. Your Committee recognizes that with the minimum wage increase schedule enacted through Act 114, Session Laws of 2022, a worker under this exemption would progressively earn below the minimum wage through 2028. This measure is intended to ensure that Hawaii's working families are able to meet their basic needs as the cost of living in the State continues to increase.

As affirmed by the record of votes of the members of your Committee on Labor and Technology 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, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1476 Hawaiian Affairs on S.C.R. No. 80**

The purpose and intent of this measure is to request the Department of Hawaiian Home Lands to identify resources needed to execute a plan to repair homes for safe habitation.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that despite the efforts of the Department of Hawaiian Home Lands to provide housing to beneficiaries on its waitlist, the Department is constrained by its limited inventory of housing-ready units and the practical reality that it can take months or even years to plan, design, and construct new housing projects. Notwithstanding, your Committee finds that certain Hawaiian Home Lands units in already-developed communities have remained unoccupied. Your Committee finds that this can occur due to a variety of reasons, such as the anticipation of a pending transfer or the need for repairs to restore a unit to habitability. Your Committee finds that the Department's ability to expediently fill tenant-unoccupied or vacant units is in the interest of beneficiaries. Therefore, this measure requests the Department to develop a plan to quickly and efficiently identify properties that are unoccupied or in need of repairs, assist lessees in assessing repairs and finding financing, expedite pending lease transfers, and conduct contested hearings in a timely manner.

Lastly, your Committee has heard the testimony of the Department of Hawaiian Home Lands, expressing concerns that additional personnel and expertise may be necessary to develop and implement a proposed plan in conformance with the aspirations of this measure.

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. 80 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1477 Hawaiian Affairs on S.R. No. 71**

The purpose and intent of this measure is to request the Department of Hawaiian Home Lands to identify resources needed to execute a plan to repair homes for safe habitation.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that despite the efforts of the Department of Hawaiian Home Lands to provide housing to beneficiaries on its waitlist, the Department is constrained by its limited inventory of housing-ready units and the practical reality that it can take months or even years to plan, design, and construct new housing projects. Notwithstanding, your Committee finds that certain Hawaiian Home Lands units in already-developed communities have remained unoccupied. Your Committee finds that this can occur due to a variety of reasons, such as the anticipation of a pending transfer or the need for repairs to restore a unit to habitability. Your Committee finds that the Department's ability to expediently fill tenant-unoccupied or vacant units is in the interest of beneficiaries. Therefore, this measure requests the Department to develop a plan to quickly and efficiently identify properties that are unoccupied or in need of repairs, assist lessees in assessing repairs and finding financing, expedite pending lease transfers, and conduct contested hearings in a timely manner.

Lastly, your Committee has heard the testimony of the Department of Hawaiian Home Lands, expressing concerns that additional personnel and expertise may be necessary to develop and implement a proposed plan in conformance with the aspirations of this measure.

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. 71 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1478 Labor and Technology on S.C.R. No. 155**

The purpose and intent of this measure is to request that the Department of Labor and Industrial Relations conduct a study on the implementation of a state program that requires employers to provide a minimum amount of paid sick leave and supplemental paid sick leave to employees, with a focus on the effects of mandatory paid sick leave on small businesses and low-income employees.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Education Caucus of the Democratic Party of Hawai'i, Labor Caucus of the Democratic Party of Hawai'i, Imua Alliance, Hawai'i Public Health Institute, Hawaii State AFL-CIO, International Alliance of Theatrical Stage Employees Local 665, Hawai'i Workers Center, and four individuals.

Your Committee finds that although Hawaii's Family Leave Law provides four weeks of protected leave for certain employees of employers with one hundred or more employees for the birth or adoption of the employee's child or care of the employee's child, spouse, reciprocal beneficiary, sibling, grandchild, or parent with a serious health condition, this leave is generally unpaid. Your Committee recognizes that the implementation of a paid sick leave program could provide increased benefits, including but not limited to diminishing public and private health care costs in the State and promoting the economic security and stability of workers and their families in the State.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 155 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1479 Labor and Technology on S.C.R. No. 120**

The purpose and intent of this measure is to request that the Department of Labor and Industrial Relations:

- (1) Collect data relating to the development of an information technology workforce in Hawaii;
- (2) Evaluate the collected data and develop a strategy to provide better information technology training to individuals and retain them in Hawaii to build a flourishing information technology workforce in Hawaii; and
- (3) Submit a report to the Legislature prior to the convening of the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and one individual.

Your Committee finds that the information technology sector has become a significant economic driver in the State that covers a wide range of industries and that the demand for employees currently exceeds the number of available individuals seeking jobs in the information technology sector of Hawaii. Your Committee recognizes that one of the fundamental components in building a robust workforce is the collection of relevant data that will enable better evaluation of available programs and contribute to better planning for the future. This measure would help the State improve various aspects of its workforce development programs to develop a thriving information technology workforce in the State. According to testimony from the Department of Labor and Industrial Relations, educational institutions, such as the University of Hawaii, are more suited to collect current information on individuals who completed information technology courses, training, or programs, or obtained information technology certificates or licenses; and agencies that produce employment and wage estimates, such as the ones within the Department of Business, Economic Development, and Tourism, are better suited to derive the average compensation of technology-related jobs in the private and public sectors.

Therefore, your Committee has amended this measure by:

- (1) Inserting language that requests the Department of Labor and Industrial Relations, in collaboration with the Department of Business, Economic Development, and Tourism and the University of Hawaii, to collect data relating to the development of an information technology workforce in Hawaii;
- (2) Updating the list of certified copy recipients;
- (3) Amending its title in accordance with 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 Labor and Technology 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, 4. Noes, none. Excused, 1 (Ihara).

**SCRep. 1480 Labor and Technology on S.C.R. No. 121**

The purpose and intent of this measure is to urge the Department of Labor and Industrial Relations to:

- (1) Identify state job classifications for which a degree or Career and Technical Education Certificate from a community college may substitute for an Associate of Arts degree;
- (2) Work with Hawaii P-20, a partnership lead by the Executive Office on Early Learning, Department of Education, and University of Hawaii System, to identify these state job classifications;

- (3) Emphasize general qualifications in its job listings, such as those relating to skills, work experience, and industry credentials that may substitute for an Associate of Arts degree; and
- (4) Submit a report to the Legislature prior to the convening of the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawai'i P-20, and Hawaii State Teachers Association.

Your Committee finds that a degree or Career and Technical Education (CTE) certificate from a community college is, in many ways, comparable to an Associate of Arts degree and that community college CTE programs and community college degree programs are beneficial options for individuals who thrive in less traditional learning environments, individuals with disabilities, individuals from economically disadvantaged families, individuals experiencing homelessness, and others who might otherwise be unemployed or underemployed. This measure supports the creation of educational pathways that meet the State's current and future labor market needs.

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 Labor and Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 121, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 121, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Ihara).

**SCRep. 1481      Transportation and Culture and the Arts on H.B. No. 899**

The purpose and intent of this measure is to designate the month of September as Fetal Alcohol Spectrum Disorder Awareness Month to promote public awareness of the risks of alcohol consumption during pregnancy.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, Hawaii Substance Abuse Coalition, and ten individuals.

Your Committee finds that the Centers for Disease Control and Prevention and other national organizations recognize Fetal Alcohol Spectrum Disorder awareness month as a time to inform the public on the causes, symptoms, and individuals who are diagnosed with Fetal Alcohol Spectrum Disorder. As the number one developmental disability that can be prevented, awareness is the most effective way to create systemic change to support individuals with Fetal Alcohol Spectrum Disorder. This measure provides a venue to advocate on the behalf of individuals with Fetal Alcohol Spectrum Disorder who may have unmet needs in Hawaii's communities.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 899, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1482      Energy, Economic Development, and Tourism on Gov. Msg. No. 504**

Recommending that the Senate advise and consent to the nomination of the following:

CHIEF ENERGY OFFICER, HAWAI'I STATE ENERGY OFFICE

G.M. No. 504    MARK GLICK, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Mark Glick for service as the Chief Energy Officer of the Hawaii State Energy Office.

Your Committee received testimony in support of the nomination for the appointment of Mark Glick from the Governor; Department of Business, Economic Development, and Tourism; Hawaii Public Housing Authority; Department of Labor and Industrial Relations; Department of Land and Natural Resources; University of Hawai'i System; Hawaii Green Infrastructure Authority; Department of Transportation; Department of Taxation; Office of Planning and Sustainable Development; Department of Agriculture; Department of Health; Office of Enterprise Technology Services; Department of Budget and Finance; Department of Public Safety; Agribusiness Development Corporation; Hawaii Technology Development Corporation; Natural Energy Laboratory of Hawaii Authority; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Ulupono Initiative; Blue Planet Foundation; International Brotherhood of Electrical Workers Local Union 1260; Hawai'i Energy; Hawai'i Gas; Sunrun; Islander Institute; Hawaii Solar Energy Association; AES; Hua Nani Partners; Mālama Learning Center; Sustainable Molokai and the Molokai Clean Energy Hui; and twenty-one individuals.

Upon review of the testimony, your Committee finds that Mark Glick's professional background, knowledge of energy policy, and experience in the development of projects for the private and public sectors qualify him for appointment as the Chief Energy Officer of the Hawaii State Energy Office. Mr. Glick's experience in public service in the State spans nearly two decades, having served in several capacities at multiple state agencies. Most recently, Mr. Glick served as a Specialist on Energy Policy and Innovation at the University of Hawaii's Hawaii Natural Energy Institute, where he led the Hawaii Energy Policy Forum and Hawaii Natural Energy Institute's energy policy practice in support of energy transitions and decarbonization efforts in the State through projects, publications, technical assistance, and counseling. Mr. Glick also previously served as the Hawaii State Energy Office's Energy Administrator and as an Energy Project Manager and Senior Advisor. During his previous roles with the Hawaii State Energy Office, Mr. Glick contributed to the drafting of Hawaii's one hundred percent renewable portfolio standard goal and helped the State exceed its 2015 interim renewable portfolio and energy efficiency portfolio standards by nearly ten percent. Mr. Glick also managed over \$9,000,000

in federally-funded projects to increase the number of renewable energy and energy efficiency installations in the State. Prior to his work in the public sector in Hawaii, Mr. Glick co-founded and led a business systems integration and consulting firm in Austin, Texas that was dedicated to establishing alternative fuel transportation and pioneered efforts. Your Committee believes that Mr. Glick's work experience in both the public and private sectors demonstrate his ability to be an effective leader and provide guidance on clean energy infrastructure as a catalyst for economic growth and energy security.

Your Committee notes that Mr. Glick brings more than forty years of experience working with energy issues and has published extensively on the topic. Mr. Glick holds a Bachelor of Arts in Mathematics from Lamar University and a Master of Science in Public Management and Policy from Carnegie-Mellon University, and has authored more than ten publications on energy issues since 2000. Additionally, Mr. Glick has testified before the Hawaii Legislature on more than two hundred legislative proposals relating to energy, economic development, and the environment, and as the Hawaii State Energy Administrator before the United States Senate Energy Subcommittee on issues such as energy and infrastructure challenges in the State and suggested actions the federal government could take to support job creation and innovation at the state and local level. Mr. Glick's wealth of subject matter expertise gives your Committee great confidence that he will serve the State well as Chief Energy Officer and provide the Hawaii State Energy Office excellent policy guidance on clean energy infrastructure to help the State reach its renewable energy goals. Your Committee therefore recommends that Mark Glick be appointed as the Chief Energy Officer of the Hawaii State Energy Office.

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; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1483 Energy, Economic Development, and Tourism on Gov. Msg. No. 534**

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY DIRECTOR, DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM

G.M. No. 534 DANE WICKER, for a term to expire 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Dane Wicker for service as the Deputy Director of the Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of the nomination for the appointment of Dane Wicker from the Governor; Department of Business, Economic Development, and Tourism; Department of Land and Natural Resources; Department of Labor and Industrial Relations; Department of Transportation; Hawaii State Energy Office; Department of Health; Department of Budget and Finance; Department of Public Safety; Department of Agriculture; Office of Planning and Sustainable Development; Department of Taxation; Stadium Authority; Hawaii Public Housing Authority; Office of Community Services; Office of Enterprise Technology Services; Natural Energy Laboratory of Hawaii Authority; Hawaii Green Infrastructure Authority; Hawaii Housing Finance and Development Corporation; Hawaii Technology Development Corporation; Land Use Commission; Agribusiness Development Corporation; Hawai'i Tourism Authority; Mayor of Kaua'i; Pacific Resource Partnership; Ulupono Initiative; Ko'olau Foundation; International Brotherhood of Electrical Workers Local Union 1260; Hawai'i Lodging and Tourism Association; International Longshore and Warehouse Union Local 142; International Longshore and Warehouse Union Local 100; Hawaii Laborers-Employers Cooperation and Education Trust; Hawai'i Executive Collaborative; Title Guaranty Hawaii; Matson Navigation Company, Inc.; Hawaii Foodservice Alliance, LLC; Maui Land and Pineapple Company, Inc.; Hawai'i Farm Bureau; Democratic Party of Hawai'i Labor Caucus; Hawaii Teamsters and Allied Workers Local 996; Oceanit; Kaua'i Chamber of Commerce; Hartung Brothers, Inc.; Filipino Community Center, Inc.; Hawaii Regional Council of Carpenters; Kauai Economic Development Board; WCIT Architecture, Inc.; HPM Building Supply; and forty-four individuals.

Upon review of the testimony, your Committee finds that Mr. Wicker's background, government work experience, and business knowledge qualify him for appointment as the Deputy Director of the Department of Business, Economic Development, and Tourism. Mr. Wicker has over a decade of experience and understanding of government and its processes, budgeting, and public policy. Mr. Wicker previously served as Chief of Staff and Committee Clerk to the Chairperson of the Senate's Committee on Ways and Means for eleven years, where he gained valuable experience with budgets, economic development, office management, and governmental administrative procedures. Mr. Wicker further directed the operating and capital improvement projects and oversaw the review of the Governor's executive operating budget of approximately \$16 billion. Your Committee believes that Mr. Wicker's understanding of departmental operations, the budgeting process, and financial-impact analysis will be invaluable to the Department of Business, Economic Development, and Tourism and its attached agencies to prepare for their budget briefings and will be crucial to assist the Department in revitalizing and diversifying the State's economy.

Your Committee further finds that most recently, Mr. Wicker served as an Administrative Assistant at the Department of Planning and Permitting for the City and County of Honolulu where he coordinated and communicated administrative decisions, work programs, budgets, and objectives to all stakeholders. Mr. Wicker also previously served as the Assistant to the Director of Pacific Asian Studies at the University of Hawaii's East-West Center, where he pursued federal grants and supported the creation of programs in schools to spread the awareness of climate change. Having worked at both the state and county levels of government, your Committee believes that Mr. Wicker has acquired the necessary leadership and professional attributes that will enable him to serve the State and community well at the departmental level.

Your Committee further notes that Mr. Wicker holds a Bachelor of Arts degree in Political Science from the University of Hawaii at West Oahu and is currently pursuing a Masters in Urban and Regional Planning from the University of Hawaii at Manoa. Additionally, Mr. Wicker is a small business owner and operates businesses in retail and farming. Your Committee believes that Mr. Wicker's business experience and his current efforts to further his education by obtaining a Master's degree are indicative of his desire to

continually challenge and improve himself. These qualities demonstrate that Mr. Wicker will make an excellent leader at the Department of Business, Economic Development, and Tourism, where he will be required to think productively and innovate to move the Department forward in a positive manner. Your Committee therefore recommends that Dane Wicker be appointed to serve as Deputy Director of the Department of Business, Economic Development, and Tourism, based on his knowledge, experience, and dedication 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 (Fukunaga).

**SCRep. 1484 Ways and Means on H.B. No. 138**

The purpose and intent of this measure is to require mandatory training for all lobbyists who are required to register with the State.

Your Committee received written comments in support of this measure from the Hawaii State Ethics Commission and League of Women Voters.

Your Committee finds that the training required by this measure will help provide education and accountability for lobbyists, ensure greater compliance with lobbyist registration laws, strengthen the Hawaii State Ethics Commission's ability to administer and enforce state lobbying laws, and increase the public's confidence in state government.

As affirmed by the record of votes of the members 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. 138, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1485 Ways and Means on H.B. No. 923**

The purpose and intent of this measure is to ensure fairness and equity in the allocation of private activity bonds.

Specifically, this measure requires:

- (1) Counties with a private activity bond issuance program to exhaust their allotment of private activity bonds before applying to the State for a state allocation;
- (2) The State, if it receives a county allocation of private activity bonds, to award the amount of the county allocation to projects in that county before awarding the allocation to projects in other counties;
- (3) A project seeking private activity bond financing to first apply to the county in which the project is located for a portion of the county's allocation, if that county has a private activity bond issuance program, before applying to the State; and
- (4) The director of finance of each county to report to the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation the amount of the county's unused or unassigned allocation of private activity bonds.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation and County of Hawaii Office of Housing and Community Development.

Your Committee received written comments on this measure from Highridge Costa.

Your Committee finds that the private activity bond cap is currently the most limiting resource in terms of multi-family rental housing financing. This measure will help to ensure fairness and equity in the allocation of the State's private activity bonds, especially for the counties of Maui and Hawaii, which do not have private activity bond issuance programs.

As affirmed by the record of votes of the members 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. 923, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1486 Judiciary on H.B. No. 201**

The purpose and intent of this measure is to expand the definition of "historic property" for purposes of the Historic Preservation Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Association of REALTORS, Historic Hawai'i Foundation, Building Industry Association of Hawaii, and Maui Chamber of Commerce. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from NAIOP Hawaii.

Your Committee finds that existing law defines a historic property as, "any building, structure, object, district, area, or site, including heiau and underwater site, which is over fifty years old". With the current definition, the number of homes and buildings that qualify has continued to increase. This can be challenging for homeowners that must comply with the historic preservation review process for permits, even when their properties have no historical significance. Furthermore, existing law can also be challenging for the State Historic Preservation Division, as they will have to review properties simply because the property is over fifty years old, even without historical significance. As such, amending the definition of a historic property to either properties that are over fifty years old

that meet the criteria to be placed onto the Hawaii Register of Historic Places or has important value to Native Hawaiians or other ethnic groups may help address these challenges.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 201, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1487 Judiciary on H.B. No. 1045**

The purpose and intent of this measure is to:

- (1) Require a minor student's parent or legal guardian, rather than the student, to produce the required student records when transferring schools;
- (2) Clarify that emancipated minors may produce the required student records when transferring schools;
- (3) Clarify that the transfer process is the same whether a transfer is within the same complex area or to another complex area; and
- (4) Exempt students eligible for assistance provided under the federal McKinney-Vento Homeless Assistance Act of 1987 from producing required student records when transferring schools.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that when a student who is under the age of eighteen transfers schools, existing law requires the student to submit to the enrolling school a certificate of release obtained from the school last attended. Your Committee further finds that it is more appropriate for the parent or legal guardian of the minor student to produce and submit the certificate of release, unless the student is an emancipated minor. Your Committee also finds that under the McKinney-Vento Homeless Assistance Act of 1987, unaccompanied homeless youth are those youth who are not in the physical custody of a parent or legal guardian and experiencing unstable housing. McKinney-Vento eligible students, including unaccompanied youth, are entitled to enroll in school immediately, even if the student is lacking documents normally required for enrollment or have missed application or enrollment deadlines. This measure will clarify that a parent or legal guardian would be the appropriate person to provide a certificate of release for a minor student except in the case of an emancipated minor and those unaccompanied youth identified under the McKinney-Vento 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 H.B. No. 1045, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1488 Judiciary on H.B. No. 1132**

The purpose and intent of this measure is to:

- (1) Require members of the Hawaii Correctional System Oversight Commission be subject to the advice and consent of the Senate;
- (2) Extend the term of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission;
- (3) Require the Hawaii Correctional System Oversight Commission to publish a summary of an investigation upon its conclusion and any action taken by the Commission in response;
- (4) Authorize the Hawaii Correctional System Oversight Commission to hold a meeting closed to the public to discuss with the Oversight Coordinator a complaint investigated when necessary to maintain confidentiality, under certain conditions; and
- (5) Broaden the Oversight Coordinator's power to make inquiries, obtain information, and inspect the premises of agencies and correctional facilities.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii Paroling Authority, Hawaii Correctional System Oversight Commission, Community Alliance on Prisons, ACLU of Hawai'i, and four individuals.

Your Committee finds that transforming a corrections system that has been focused on punishment and isolation to a more rehabilitative and therapeutic model will take time. Your Committee believes that a two-year term for the Oversight Coordinator of the Hawaii Correctional System Oversight Commission is insufficient to facilitate the transition of the corrections system to a rehabilitative and therapeutic model. This measure, among other things, will support the creation of a more just and equitable corrections system by extending the term of the Oversight Coordinator.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1132, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1489 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 100**

The purpose and intent of this measure is to request the State Foundation on Culture and the Arts to collaborate with the Office of Veterans' Services to plan and construct memorials to honor the sacrifices and contributions of veterans from Hawaii.



Your Committees received testimony in support of this measure from the Office of Veterans' Services, Hawaii Emergency Management Agency, and one individual. Your Committees received comments on this measure from the State Foundation on Culture and the Arts.

Your Committees find that the freedom and security that United States citizens enjoy today are direct results of the sacrifices and continued vigilance of the United States armed forces over the course of the nation's history. As public memorials are an important form of recognition for veterans and military personnel, honoring the sacrifices and contributions of veterans, including veterans from Hawaii, will preserve, perpetuate, and share their legacy. This measure recognizes the sacrifices of veterans from Hawaii who have dedicated their lives to the freedom and security of the United States.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 100 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Inouye).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, McKelvey).

**SCRep. 1490 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.R. No. 110**

The purpose and intent of this measure is to request the State Foundation on Culture and the Arts to collaborate with the Office of Veterans' Services to plan and construct memorials to honor the sacrifices and contributions of veterans from Hawaii.

Your Committees received testimony in support of this measure from the Office of Veterans' Services, Hawaii Emergency Management Agency, and one individual. Your Committees received comments on this measure from the State Foundation on Culture and the Arts.

Your Committees find that the freedom and security that United States citizens enjoy today are direct results of the sacrifices and continued vigilance of the United States armed forces over the course of the nation's history. As public memorials are an important form of recognition for veterans and military personnel, honoring the sacrifices and contributions of veterans, including veterans from Hawaii, will preserve, perpetuate, and share their legacy. This measure recognizes the sacrifices of veterans from Hawaii who have dedicated their lives to the freedom and security of the United States.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 110 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Inouye).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, McKelvey).

**SCRep. 1491 (Majority) Housing on S.C.R. No. 166**

The purpose and intent of this measure is to request that the Hawaii Housing Finance and Development Corporation, or any other appropriate state agency, conduct a feasibility study on redeveloping lands situated at TMK (1) 2-8-015:001 into workforce housing and other affiliated uses.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and University of Hawai'i System.

Your Committee finds that tax map parcel TMK (1) 2-8-015:001 is a fifteen acre parcel that is the current location of the College of Education, the former location of the Public Broadcasting Station, the University Laboratory (Charter) School, and the University of Hawaii at Manoa Childcare Center. According to testimony received by your Committee, the University of Hawaii owns the real property at TMK (1) 2-8-015:001, has been looking towards the redevelopment of the property, and has identified housing as a potential use that could offer benefits to the University, as well as improvements to the surrounding neighborhood. This measure accordingly helps advance the State in its efforts to address its ongoing housing crisis, especially the need for workforce housing. Your Committee further notes that the Hawaii Housing Finance and Development Corporation has requested \$500,000 for funding and staff to conduct the traffic study, engineering study, architectural study, and preliminary community outreach necessary to implement this measure.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 166 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1492 (Majority) Housing on S.R. No. 192**

The purpose and intent of this measure is to request that the Hawaii Housing Finance and Development Corporation, or any other appropriate state agency, conduct a feasibility study on redeveloping lands situated at TMK (1) 2-8-015:001 into workforce housing and other affiliated uses.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and University of Hawai'i System.

Your Committee finds that tax map parcel TMK (1) 2-8-015:001 is a fifteen acre parcel that is the current location of the College of Education, the former location of the Public Broadcasting Station, the University Laboratory (Charter) School, and the University of

Hawaii at Manoa Childcare Center. According to testimony received by your Committee, the University of Hawaii owns the real property at TMK (1) 2-8-015:001, has been looking towards the redevelopment of the property, and has identified housing as a potential use that could offer benefits to the University, as well as improvements to the surrounding neighborhood. This measure accordingly helps advance the State in its efforts to address its ongoing housing crisis, especially the need for workforce housing. Your Committee further notes that the Hawaii Housing Finance and Development Corporation has requested \$500,000 for funding and staff to conduct the traffic study, engineering study, architectural study, and preliminary community outreach necessary to implement this measure.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 192 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1493 Housing on S.C.R. No. 212**

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to:

- (1) Adopt administrative rules to create a pathway to the housing creation process under section 201H-38, Hawaii Revised Statutes, for housing projects that are exclusively available to Hawaii residents who would be owner- or renter-occupants and who own no other real property; and
- (2) Adopt administrative rules that create a second pathway to the housing creation process under section 201H-38, Hawaii Revised Statutes, for housing projects that are exclusively available to Hawaii residents who would be owner- or rental-occupants and who own no other real property, which is requested to be in addition to existing pathways under Hawaii Administrative Rules, that require one-half of all units in a housing project to be available for buyers whose income is at or below one hundred forty percent of the area median income.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the definition of “qualified resident” pursuant to section 201H-32, Hawaii Revised Statutes, is used to determine eligibility for many of the Hawaii Housing Finance and Development Corporation’s programs. Your Committee notes that not only is Hawaii residency not an eligibility requirement, but qualified residents can own other real property as long as they do not own a majority interest in fee simple or leasehold lands suitable for dwelling purposes. Your Committee recognizes that the development of residential units at all price points is necessary to solve the chronic housing shortage and more pathways should be developed exclusively for those individuals who are Hawaii residents who own no other real property and will be owner- or renter-occupants of the residential units. Accordingly, this measure is intended to create an alternative pathway that facilitates the development of affordable housing projects in the State.

Your Committee has amended this measure by:

- (1) Amending language to clarify that:
  - (A) The Hawaii Housing Finance and Development Corporation is urged to adopt administrative rules to create a process under section 201H-38, Hawaii Revised Statutes, for housing projects exclusively occupied by Hawaii residents who own no other real property; and
  - (B) This process is requested to be in addition to, and not in lieu of, current processes under the Hawaii Administrative Rules that require half of all units to be available for buyers whose income is at or below one hundred forty percent of area median income; and
- (2) Amending the title to reflect its amended purpose.

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

**SCRep. 1494 Housing on S.R. No. 203**

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to:

- (1) Adopt administrative rules to create a pathway to the housing creation process under section 201H-38, Hawaii Revised Statutes, for housing projects that are exclusively available to Hawaii residents who would be owner- or renter-occupants and who own no other real property; and
- (2) Adopt administrative rules that create a second pathway to the housing creation process under section 201H-38, Hawaii Revised Statutes, for housing projects that are exclusively available to Hawaii residents who would be owner- or rental-occupants and who own no other real property, which is requested to be in addition to existing pathways under Hawaii Administrative Rules, that require one-half of all units in a housing project to be available for buyers whose income is at or below one hundred forty percent of the area median income.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the definition of “qualified resident” pursuant to section 201H-32, Hawaii Revised Statutes, is used to determine eligibility for many of the Hawaii Housing Finance and Development Corporation’s programs. Your Committee notes that not only is Hawaii residency not an eligibility requirement, but qualified residents can own other real property as long as they do not

own a majority interest in fee simple or leasehold lands suitable for dwelling purposes. Your Committee recognizes that the development of residential units at all price points is necessary to solve the chronic housing shortage and more pathways should be developed exclusively for those individuals who are Hawaii residents who own no other real property and will be owner- or renter-occupants of the residential units. Accordingly, this measure is intended to create an alternative pathway that facilitates the development of affordable housing projects in the State.

Your Committee has amended this measure by:

- (1) Amending language to clarify that:
  - (A) The Hawaii Housing Finance and Development Corporation is urged to adopt administrative rules to create a process under section 201H-38, Hawaii Revised Statutes, for housing projects exclusively occupied by Hawaii residents who own no other real property; and
  - (B) This process is requested to be in addition to, and not in lieu of, current processes under the Hawaii Administrative Rules that require half of all units to be available for buyers whose income is at or below one hundred forty percent of area median income; and
- (2) Amending the title to reflect its amended purpose.

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. 203, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 203, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1495 Housing on S.C.R. No. 213**

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to prioritize the allocation of funds from the Rental Housing Revolving Fund and Dwelling Unit Revolving Fund to be used to enhance credit and guarantee and insure loans that private financial institutions make to developers of housing that is exclusively for Hawaii residents who are owner- or renter-occupants and who own no other property.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and one individual.

Your Committee finds that the State is experiencing a housing crisis and unique solutions are urgently needed to increase the supply of housing. Due to the current structure of certain tax incentives and financing programs administered by the Hawaii Housing Finance and Development Corporation, most developers of affordable rental housing projects that rely on federal and state low-income housing tax credits can experience challenges in obtaining long-term private loans for certain development costs, which hinders the rate of housing development in the State. This measure seeks to increase the inventory of affordable housing for Hawaii residents who will be owner- or renter-occupants and who own no other real property by facilitating the Rental Housing Revolving Fund and the Dwelling Unit Revolving Fund to help cover “gap” costs for developers of certain affordable housing projects.

Your Committee further finds that land acquisition represents a considerable factor in the development cost equation for many affordable housing projects. Additionally, despite the State’s allocation of tax credits to affordable housing project developers, the State does not receive an ownership interest in the development and any profits generated by a housing project stay with the developer. Furthermore, developers can often take decades to repay loans made from the Rental Housing Revolving Fund, resulting in an unsustainable reliance on legislative appropriations. Your Committee therefore finds it is in the State’s best interest to amend the priority for which moneys in the Rental Housing Revolving Fund are to be used and to amend the Low-Income Housing Tax Credit Program’s Qualified Allocation Plan to prioritize the development of projects that will be owned by the State or an organization obliged to use all profits generated by a project to construct additional housing, and prioritize applicants who have demonstrated accelerated full repayment of past loans into Rental Housing Revolving Fund.

Your Committee additionally finds that supportive housing has been demonstrated to decrease homelessness, reduce burdens on emergency services and other public systems, and reduce crime rates. Your Committee believes that public financing should be made available for supportive housing projects, as the free market is not generating the essential inventory for vulnerable special-needs populations, and the Qualified Allocation Plan should be further amended to encourage developers to build supportive housing for special-needs populations and individuals in other high-priority categories.

Your Committee notes S.C.R. No. 130 and S.C.R. No. 54, introduced in the Regular Session of 2023, which appropriately address the foregoing issues. Amendments to this measure are therefore necessary to incorporate these important solutions to further the State’s efforts to meet urgent housing demands.

Accordingly, your Committee has amended this measure by:

- (1) Inserting the contents of S.C.R. No. 130 (2023), which urges the Hawaii Housing Finance and Development Corporation to revise the prioritization and evaluation and ranking criteria for its allocation of low-income housing tax credits and awards from the Rental Housing Revolving Fund;
- (2) Inserting the contents of S.C.R. No. 54 (2023), which urges the Hawaii Housing Finance and Development Corporation to promote supportive housing in the State’s Low-Income Housing Tax Credit Program, and further including language to promote the development of housing for individuals in other high-priority categories, including but not limited to individuals on the waitlist for Department of Hawaiian Home Lands and public employees;
- (3) Amending the title 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 Housing 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 its adoption 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. 1496 Housing on S.R. No. 204**

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to prioritize the allocation of funds from the Rental Housing Revolving Fund and Dwelling Unit Revolving Fund to be used to enhance credit and guarantee and insure loans that private financial institutions make to developers of housing that is exclusively for Hawaii residents who are owner- or renter-occupants and who own no other property.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and one individual.

Your Committee finds that the State is experiencing a housing crisis and unique solutions are urgently needed to increase the supply of housing. Due to the current structure of certain tax incentives and financing programs administered by the Hawaii Housing Finance and Development Corporation, most developers of affordable rental housing projects that rely on federal and state low-income housing tax credits can experience challenges in obtaining long-term private loans for certain development costs, which hinders the rate of housing development in the State. This measure seeks to increase the inventory of affordable housing for Hawaii residents who will be owner- or renter-occupants and who own no other real property by facilitating the Rental Housing Revolving Fund and the Dwelling Unit Revolving Fund to help cover “gap” costs for developers of certain affordable housing projects.

Your Committee further finds that land acquisition represents a considerable factor in the development cost equation for many affordable housing projects. Additionally, despite the State’s allocation of tax credits to affordable housing project developers, the State does not receive an ownership interest in the development and any profits generated by a housing project stay with the developer. Furthermore, developers can often take decades to repay loans made from the Rental Housing Revolving Fund, resulting in an unsustainable reliance on legislative appropriations. Your Committee therefore finds it is in the State’s best interest to amend the priority for which moneys in the Rental Housing Revolving Fund are to be used and to amend the Low-Income Housing Tax Credit Program’s Qualified Allocation Plan to prioritize the development of projects that will be owned by the State or an organization obliged to use all profits generated by a project to construct additional housing, and prioritize applicants who have demonstrated accelerated full repayment of past loans into Rental Housing Revolving Fund.

Your Committee additionally finds that supportive housing has been demonstrated to decrease homelessness, reduce burdens on emergency services and other public systems, and reduce crime rates. Your Committee believes that public financing should be made available for supportive housing projects, as the free market is not generating the essential inventory for vulnerable special-needs populations, and the Qualified Allocation Plan should be further amended to encourage developers to build supportive housing for special-needs populations and individuals in other high-priority categories.

Your Committee notes S.C.R. No. 130 and S.C.R. No. 54, introduced in the Regular Session of 2023, which appropriately address the foregoing issues. Amendments to this measure are therefore necessary to incorporate these important solutions to further the State’s efforts to meet urgent housing demands.

Accordingly, your Committee has amended this measure by:

- (1) Inserting the contents of S.C.R. No. 130 (2023), which urges the Hawaii Housing Finance and Development Corporation to revise the prioritization and evaluation and ranking criteria for its allocation of low-income housing tax credits and awards from the Rental Housing Revolving Fund;
- (2) Inserting the contents of S.C.R. No. 54 (2023), which urges the Hawaii Housing Finance and Development Corporation to promote supportive housing in the State’s Low-Income Housing Tax Credit Program, and further including language to promote the development of housing for individuals in other high-priority categories, including but not limited to individuals on the waitlist for Department of Hawaiian Home Lands and public employees;
- (3) Amending the title 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 Housing that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 204, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 204, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1497 Housing on S.C.R. No. 214**

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to use Dwelling Unit Revolving Fund moneys to issue zero percent interest loans or grants to buyers with incomes above sixty and at or below one hundred forty percent of the median family income for the State.

Your Committee received testimony in opposition to this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State is experiencing a severe housing crisis and that the costs of developing housing and the monthly cost of owning a home are dramatically increasing. Your Committee further finds that, due to the acute need for residential housing at all price points, the intent of this measure is to increase homeownership by requesting that the Hawaii Housing Finance and Development Corporation (HHFDC) issue zero interest loans and grants to certain high priority housing individuals. Your Committee notes the concerns raised in testimony, including the statutory restrictions for permissible uses of the Dwelling Unit Revolving Fund and existing law that requires homeowners to repay the State for any subsidy, grant, or financial assistance at an interest rate not lower than seven percent for real property developed under Chapter 201H, Hawaii Revised Statutes. Amendments are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have:
  - (A) Specified that the loans issued be zero percent interest loans; and
  - (B) Required the loans to be funded from the Dwelling Unit Revolving Fund;
- (2) Amending language to include other buyers in high priority housing categories to receive grants and loans from the Hawaii Housing Finance and Development Corporation, including not limited to owner-occupants who own no other real property, individuals on the Department of Hawaiian Home Lands waitlist, and public employees;
- (3) Amending its title in accordance with 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 Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 214, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 214, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1498 Housing on S.R. No. 205**

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to use Dwelling Unit Revolving Fund moneys to issue zero percent interest loans or grants to buyers with incomes above sixty and at or below one hundred forty percent of the median family income for the State.

Your Committee received testimony in opposition to this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State is experiencing a severe housing crisis and that the costs of developing housing and the monthly cost of owning a home are dramatically increasing. Your Committee further finds that, due to the acute need for residential housing at all price points, the intent of this measure is to increase homeownership by requesting that the Hawaii Housing Finance and Development Corporation (HHFDC) issue zero interest loans and grants to certain high priority housing individuals. Your Committee notes the concerns raised in testimony, including the statutory restrictions for permissible uses of the Dwelling Unit Revolving Fund and existing law that requires homeowners to repay the State for any subsidy, grant, or financial assistance at an interest rate not lower than seven percent for real property developed under Chapter 201H, Hawaii Revised Statutes. Amendments are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have:
  - (A) Specified that the loans issued be zero percent interest loans; and
  - (B) Required the loans to be funded from the Dwelling Unit Revolving Fund;
- (2) Amending language to include other buyers in high priority housing categories to receive grants and loans from the Hawaii Housing Finance and Development Corporation, including not limited to owner-occupants who own no other real property, individuals on the Department of Hawaiian Home Lands waitlist, and public employees;
- (3) Amending its title in accordance with 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 Housing 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, 5. Noes, none. Excused, none.

**SCRep. 1499 Ways and Means on H.B. No. 609**

The purpose and intent of this measure is to appropriate moneys to the Department of Agriculture for costs of its meat inspection program, including the establishment of three full-time equivalent (3.0 FTE) meat inspector positions.

Your Committee received written comments in support of this measure from the Mayor of the County of Maui, Maui County Farm Bureau, Hawaii Farm Bureau, Hawaii Cattlemen's Council, Hawaii Farmers Union United, and seven individuals.

Your Committee received written comments in opposition to this measure from Animal Rights Hawaii.

Your Committee received written comments on this measure from the Department of Agriculture.

Your Committee finds that food safety is essential to the public health, safety, and welfare. Your Committee recognizes that the inspection of livestock prior to slaughter, which will be facilitated by this measure, is necessary to ensure the safety of the State's meat supply.

Your Committee has amended this measure by:

- (1) Expanding the scope of the measure's appropriation to include the establishment of one full-time equivalent (1.0 FTE) inspector program supervisor position; 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. 609, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 609, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1500 Ways and Means on H.B. No. 1087**

The purpose and intent of this measure is to amend the definition of "employee" in Hawaii's Wage and Hour Law by repealing the definition's categorical exclusion of any employee who receives guaranteed compensation totaling \$2,000 or more a month.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, Rainbow Family 808, Hawaii State AFL-CIO, Democratic Party of Hawaii Education Caucus, Imua Alliance, IATSE 665, Democratic Party of Hawaii Labor Caucus, and two individuals.

Your Committee received written comments on this measure from the Hawaii Appleseed Center for Law and Economic Justice.

Your Committee recognizes that employees who are guaranteed compensation totaling \$2,000 or more a month are not currently guaranteed the protections provided by the minimum wage rates, overtime rates, and employer recordkeeping requirements of chapter 387, Hawaii Revised Statutes, otherwise known as the State's Wage and Hour Law. Your Committee finds that increasing the number of employees and employers covered under Hawaii's Wage and Hour Law, as proposed by this measure, will promote the health and well-being of Hawaii's workforce and increase workplace efficiency.

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. 1087, 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. 1087, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1501 Ways and Means on H.B. No. 1149**

The purpose and intent of this measure is to strengthen support for key positions within the Coconut Rhinoceros Beetle Response Program.

More specifically, the measure provides funding to the University of Hawaii to support numerous permanent full-time staff positions in the Coconut Rhinoceros Beetle Response Program.

Your Committee received written comments in support of this measure from the University of Hawaii, Department of Agriculture, Department of Land and Natural Resources, Hawaii Farm Bureau, East Oahu County Farm Bureau, Waimanalo Agricultural Association, Island Foodscaping, Waimanalo Neighborhood Board, and seven individuals.

Your Committee finds that this measure will fund core services provided by the Coconut Rhinoceros Beetle Response Program, including the research, response, education, and investigative work needed to maintain a successful and effective program.

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. 1149, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1149, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1502 Ways and Means on H.B. No. 1246**

The purpose and intent of this measure is to facilitate the installation of infrastructure necessary for the development of affordable housing.

Specifically, this measure:

- (1) Authorizes the Hawaii Housing Finance and Development Corporation to issue bonds to finance housing project infrastructure and the development of regional state infrastructure projects;
- (2) Requires the Hawaii Housing Finance and Development Corporation to report to the Legislature on the housing units to be generated by the infrastructure projects;
- (3) Authorizes the issuance of general obligation bonds, with the proceeds to be deposited into the dwelling unit revolving fund; and
- (4) Appropriates funds into and out of the dwelling unit revolving fund.

Your Committee received written comments in support of this measure from Hawai'i REALTORS and one individual.

Your Committee received written comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the costs of off-site infrastructure are a major barrier to the development of affordable housing. These costs are typically paid by private developers who, in turn, pass the costs on to homebuyers. Your Committee further finds that authorizing the use of bonds to finance infrastructure will help to offset these costs and keep housing prices affordable.

Your Committee has amended this measure by:

- (1) Requiring the Hawaii Housing Finance and Development Corporation to submit a report to the Legislature prior to the Regular Session of 2026, rather than the Regular Session of 2025;
- (2) Inserting a boilerplate section indicating that repealed statutory material is bracketed and stricken and that new statutory material is underscored; 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. 1246, 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. 1246, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1503      Judiciary on H.B. No. 717**

The purpose and intent of this measure is to:

- (1) Beginning 7/1/2023, prohibit under certain circumstances state employees from hiring or promoting relatives and household members and from making or participating in certain other employment-related decisions and from awarding a contract to or otherwise taking official action on a contract with a business if the employee's relative or household member is an executive officer of or holds a substantial ownership interest in that business; and
- (2) Impose administrative fines for violations.

Your Committee received testimony in support of this measure from the Department of the Human Resources Development, Hawai'i State Ethics Commission, Commission to Improve Standards of Conduct, and three individuals.

Your Committee finds that this measure addresses the lack of laws prohibiting nepotism in state government hiring practices. Nepotism causes the appearance of favoritism and preferential treatment that erodes public confidence in government. This measure will create a bright-line prohibition on nepotism that makes it clear that taking employment action affecting a relative is prohibited and will promote faith in state government because the public and other state employees will no longer suspect that specific promotions or employment actions were taken to benefit a relative.

Your Committee has amended this measure by:

- (1) Inserting an effective date of March 22, 2025, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that it is concerned about household members or relatives who currently hold positions due to hiring actions that would be prohibited by this measure. Your Committee finds that this issue raises concerns that merit further consideration and requests further examination as this measure moves forward in the legislation process to address the issue of household members or relatives who were hired before this measure's prohibitions would take effect.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 717, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 717, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1504      Ways and Means on H.B. No. 306**

The purpose and intent of this measure is to protect the health of ornamental ginger, an important agricultural product in the State.

More specifically, the measure appropriates funds to the University of Hawaii for:

- (1) Statewide research into ornamental ginger pathogens;

- (2) Prevention of the spread of ornamental ginger pathogens;
- (3) Production and distribution of pathogen-free ornamental ginger plants; and
- (4) Outreach to ornamental ginger producers.

Your Committee received written comments in support of this measure from the Department of Agriculture, Wild Kids, Land Use Research Foundation of Hawaii, Hawaii Floriculture and Nursery Association, Hawaii Farm Bureau, East Oahu County Farm Bureau, Maui County Farm Bureau, and three individuals.

Your Committee received written comments on this measure from the University of Hawaii.

Your Committee finds that this measure will help the State to effectively respond to disease pathogens that threaten ornamental ginger plants and thus protect the long-term viability of this important agricultural product.

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. 306, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 306, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

#### **SCRep. 1505 Ways and Means on H.B. No. 314**

The purpose and intent of this measure is to appropriate moneys to the Office of Community Services to fund the purchase, storage, and transportation of food for distribution to food banks in the State.

Your Committee received written comments in support of this measure from the Department of Human Services; Hale Hulu Mamo; Hale Kau Kau; Hawaii Children's Action Network Speaks!; Hawaii Farm Bureau; Hawaii Food Industry Association; Hawaii Foodbank, Inc.; Hawaii Hunger Action Network; Hawaii Medical Service Association; Hawaii Public Health Institute; Kahului Baptist Church; Kaiser Permanente; Kihei Youth Center; Lanakila Pacific; Maui Food Bank, Inc.; Maui Youth and Family Service; St. Joseph Church; Sustainable Molokai; The Food Basket, Inc.; Hawaii Island's Food Bank; Ulupono Initiative; Upcountry Strong, Inc.; Women Helping Women; and numerous individuals.

Your Committee received comments on this measure from the Office of Community Services of the Department of Labor and Industrial Relations, Hawaii Foodbank, and Hawaii Primary Care Association.

Your Committee finds that appropriating moneys to support food banks in the State is necessary to ensure that food is available to individuals and families facing food insecurity.

Your Committee has amended this measure by:

- (1) Clarifying the scope of the appropriation;
- (2) Clarifying the mechanism for allocating the appropriated moneys to each county; 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. 314, 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. 314, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

#### **SCRep. 1506 Ways and Means on H.B. No. 1100**

The purpose and intent of this measure is to conform the State's income and estate and generation-skipping transfer tax laws to the Internal Revenue Code.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee recognizes that this measure was originally submitted by the Department of Taxation pursuant to sections 235-2.5(c) and 236E-4(c), Hawaii Revised Statutes. Your Committee notes that the measure amends certain state tax laws as may be necessary to adopt the Internal Revenue Code as it existed on December 31, 2022, to the extent appropriate for Hawaii law.

Your Committee has amended this measure by conforming the formatting of section 235-2.3, Hawaii Revised Statutes, to the official printed version of that text.

As affirmed by the record of votes of the members 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. 1100, 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. 1100, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.



**SCRep. 1507 Ways and Means on H.B. No. 1357**

The purpose and intent of this measure is to increase the maximum amount of the state supplemental payment for domiciliary care.

More specifically, the measure provides that, beginning July 1, 2023:

- (1) The state supplemental payment for type I adult residential care homes, licensed developmental disability domiciliary homes, community care foster family homes, and certified adult foster homes shall not exceed \$767; and
- (2) The state supplemental payment for type II adult residential care homes shall not exceed \$857.

Your Committee received written comments in support of this measure from ILWU Local 1000 and one individual.

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

Your Committee finds that increasing the state supplemental payment for domiciliary care will help cover the rising costs of room and board for persons requiring domiciliary care and improve compensation rates for licensed home operators and caregivers.

Your Committee has amended this measure by changing the effective date of the measure from upon its approval to July 1, 2050, to avoid any uncertainty over the exact payment amount if the measure is enacted prior to the end of a fiscal year and 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. 1357, 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. 1357, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1508 Ways and Means on H.B. No. 1382**

The purpose and intent of this measure is to facilitate the use of certain invasive species as a sustainable food source.

Specifically, this measure:

- (1) Exempts from liability the donation of livestock or wild game meat by a charitable, religious, or nonprofit organization to needy individuals under certain conditions;
- (2) Establishes a Meat Processing Task Force to develop and implement a master plan to expand meat processing capacity in the State; and
- (3) Appropriates moneys for the Meat Processing Task Force.

Your Committee received written comments in support of this measure from the Department of Agriculture, Agribusiness Development Corporation, Office of the Mayor of the County of Maui, Hawaii Forest Industry Association, Maui County Farm Bureau, Hawaii Farm Bureau, Hawaii Cattlemen's Council, Hawaii Farmers Union United, and six individuals.

Your Committee finds that authorizing wild game as a donation-eligible food resource will create a beneficial outlet for food-safe meat harvested from invasive species. Your Committee further finds that wild game has the potential to serve as a significant source of protein for under-resourced individuals in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the Meat Processing Task Force shall submit reports to the Legislature prior to the convening of the Regular Sessions of 2024 and 2025;
- (2) Clarifying that the Meat Processing Task Force will cease to exist on June 30, 2025; 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. 1382, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1382, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1509 Ways and Means on H.B. No. 1395**

The purpose and intent of this measure is to increase the available supply of housing units in the State.

More specifically, the measure appropriates funds to the Hawaii Public Housing Authority for the planning and design of up to one hundred fourteen housing units at the Kapaa public housing project site in Kapaa, Kauai, including the development of:

- (1) Thirty-six replacement public housing units; and
- (2) Up to seventy-eight additional housing units consisting of a mix of supportive housing, affordable housing, and workforce housing.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority.

Your Committee finds that the funding provided by this measure will significantly ease the ongoing shortage of housing units on Kauai.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$2,000,000 to an unspecified amount to facilitate further discussion; 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. 1395, 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. 1395, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1510 Ways and Means on H.B. No. 1426**

The purpose and intent of this measure is to promote the development of value-added products in the State.

Specifically, this measure:

- (1) Establishes a food and product innovation network within the Agribusiness Development Corporation; and
- (2) Appropriates moneys for food and product innovation facilities on the islands of Molokai, Oahu, and Hawaii.

Your Committee received written comments in support of this measure from the Department of Agriculture; Agribusiness Development Corporation; Hawaii Food Industry Association; The Hawaii Forest Industry Association; Ulupono Initiative; Hawaii Farm Bureau; and The Food Basket, Hawai'i Island's Food Bank.

Your Committee finds that adding value to raw agricultural crops can increase farm revenues and profits, create new business and employment opportunities, and help to achieve the State's self-sufficiency and sustainability goals.

Your Committee has amended this measure by making a technical nonsubstantive amendment 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. 1426, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1426, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1511 Judiciary on H.B. No. 494**

The purpose and intent of this measure is to subject organizations that receive motor vehicles as charitable donations to the rights, responsibilities, and liabilities of transferees of the motor vehicle title or interest.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that sometimes when people donate their vehicles to a charitable organization, due to failure of proper submission of title transfer, the prior owner is still found liable for the vehicle after the title transfer to the donation company. This measure will ensure that charitable organizations are subject to the liabilities of the transferee when a vehicle is donated.

Your Committee has amended this measure by:

- (1) Inserting an effective date of March 22, 2075, 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 494, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 494, 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, none.

**SCRep. 1512 (Majority) Judiciary on H.B. No. 732**

The purpose and intent of this measure is to allow the Campaign Spending Commission to treat a respondent's failure to explain or otherwise respond to a complaint alleging a violation of campaign spending laws as a rebuttable presumption that a violation has occurred.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Commission to Improve Standards of Conduct, League of Women Voters of Hawaii, and one individual.

Your Committee finds that currently, the Campaign Spending Commission has to make repeated attempts to communicate with a respondent regarding a complaint alleging a violation of campaign spending laws before putting the matter on a meeting agenda for action. This wastes the Campaign Spending Commission's time and resources. This measure will increase the efficiency and effectiveness of the Campaign Spending Commission in enforcing campaign spending laws.

Your Committee has amended this measure by specifying that the respondent shall have thirty days from the mailing of the complaint to respond before the presumption arises.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 732, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 732, 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 (Awa). Excused, none.

**SCRep. 1513 Water and Land on S.C.R. No. 26**

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands identified as Tax Map Key: (1) 5-3-008: seaward of 012, Hauula, Koolauloa, Oahu, for the existing riprap revetment, ramp, and rock groin, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that, 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 26, 2022, under agenda item D-5, 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 riprap revetment, ramp, and rock groin identified in this measure. Your Committee finds that the easement is necessary for the use, repair, and maintenance of the existing improvements.

Your Committee has amended this measure by:

- (1) Updating the total encroachment area to 2,297 square feet, from the preliminary determination of 1,900 square feet; 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 concurs with the intent and purpose of S.C.R. No. 26, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 26, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1514 Water and Land on S.C.R. No. 83**

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands identified as Tax Map Key: (1) 4-5-047: seaward of 051, Kaneohe, Koolaupoko, Oahu, for the existing boat ramp and concrete wall, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that, 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 26, 2022, under agenda item D-4, 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 boat ramp and concrete wall identified in this measure. Your Committee finds 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 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. 1515 Water and Land on S.C.R. No. 154**

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands identified as: Tax Map Key: (1) 3-1-032:006, Waikiki, Honolulu, Oahu, for the existing seawall footing, seawall walkway, and swim-step ladder, and for use, repair, and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that, 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 September 9, 2010, under agenda item J-3, the Board of Land and Natural Resources, subject to conditions, approved a grant of a term, non-exclusive easement to resolve the encroachment of the seawall footing and seawall walkway and for the construction of a swim-step ladder to provide ocean access on the makai side of the property. On September 15, 2011, the Division of Boating and Ocean Recreation provided a right-of-entry permit to enter into and occupy, construct, use, maintain, and repair portions of two hundred twenty square feet of state-owned land. On February 10, 2017, the Division provided a second right-of-entry permit for the maintenance and repair of the seawall walkway. Your Committee finds 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 S.C.R. No. 154 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1516 Water and Land on S.C.R. No. 228**

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands identified as Tax Map Key: (2) 3-8-014: seaward of 022, Maalaea Beach Lots, Waikapu, Wailuku, Maui, for the existing seawall and rock revetment, and for use, maintenance, repair, replacement, and removal of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Association of Apartment Owners of Milowai-Maalaea. Your Committee received testimony in opposition to this measure from one individual.

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 October 9, 2015, under agenda item D-6, the Board of Land and Natural Resources, subject to conditions, approved a grant of a fifty-five year non-exclusive easement to resolve the encroachment of the seawall and rock revetment identified in this measure. On January 8, 2021, under agenda item D-5, the Board of Land and Natural Resources, subject to conditions, approved an amendment to shorten the term of the easement from fifty-five to twenty-five years, or in the event the applicant is not successful in acquiring the fee or obtaining an extension of the ground lease of the abutting apartment property, to end on December 31, 2038, concurrent with the expiration of the ground lease for the abutting apartment property. Your Committee finds that the easement is necessary for the use, maintenance, repair, replacement, and removal of the existing improvements.

Your Committee has amended this measure by:

- (1) Requesting that the Board of Land and Natural Resources require the easement to provide for either public access to the shoreline from the grass next to the seawall or for the installation of a railing along the top of the seawall to allow the public lateral access to the shoreline; 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 concurs with the intent and purpose of S.C.R. No. 228, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 228, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1517 Water and Land on S.C.R. No. 219**

The purpose and intent of this measure is to request the Department of Land and Natural Resources to adopt administrative rules regulating vessel speed near humpback whales.

Your Committee received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition and Environmental Caucus of the Democratic Party of Hawai'i. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Hone Heke Corporation, and one individual. Your Committee received comments on this measure from the Matson Navigation Company, Inc. and Hawai'i Harbors Users Group.

Your Committee finds that the majestic and well-beloved humpback whale is not only an endangered species but the official marine mammal of the State. However, as humpback whale populations have slowly recovered, their increasing numbers have led to more frequent collisions with vessels. In response, in 2022, representatives from the Pacific Whale Foundation, National Oceanic and Atmospheric Administration, State of Hawaii, tour operators, private boaters, fishers, and other community members, collaborated to develop a set of voluntary recommendations intended to keep both whales and whale watchers safe. This measure requests the Department of Land and Natural Resources to adopt those voluntary recommendations as administrative rules, to reaffirm the State's commitment to protecting and preserving the humpback whale.

Your Committee has amended this measure by:

- (1) Inserting language clarifying that the Department of Land and Natural Resources is requested to adopt rules regulating vessel speed near humpback whales for vessels other than an inter-island vessel or an intra-island vessel, as defined in section 19-41-2, Hawaii Administrative Rules; 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 concurs with the intent and purpose of S.C.R. No. 219, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 219, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1518 Labor and Technology on S.C.R. No. 122**

The purpose and intent of this measure is to urge the Department of Human Resources Development to reexamine the qualifications for vacant state positions and replace the requirement of a bachelor's degree with an associate degree or certificate, where applicable.

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 Department of Human Resources Development and the Grassroot Institute of Hawaii.

Your Committee finds that there is a significant number of public positions that are vacant within the State. This measure would enable individuals with associate degrees and certificates to seek and fill, when appropriate, certain vacant state positions that currently

require a bachelor's degree, thereby filling existing vacancies, while providing Hawaii residents with access to stable careers and income. According to testimony received by your Committee, the Department of Human Resources Development periodically reviews the minimum qualification requirements for all classes of work. The Department also raised concerns regarding the difficulty of decreasing the minimum qualification requirements of vacant civil service positions without a labor intensive technical review and, therefore your Committee believes that in addition to reviewing the minimum qualification requirements of vacant state positions, a review of the Department's various recruitment strategies, compensation, retention tools, and training is necessary and appropriate to address the high rate of vacant state positions.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language relating to replacing the requirement of a bachelor's degree with an associate degree or certificate;
- (2) Clarifying that:
  - (A) The Department of Human Resources Development has four thousand vacancies under its jurisdiction; and
  - (B) It is the policy of the Department of Human Resources Development to periodically review and verify the applicability of minimum qualifications required for vacant positions;
- (3) Inserting language, which states that:
  - (A) It is in the best interest of the State to encourage the Department of Human Resources Development to identify, address, and remove known barriers to filling vacant positions;
  - (B) The classification and compensation review process is labor intensive and requires considerable expertise and skill by trained human resources individuals; and
  - (C) There may be innovative and creative ways to fill some of the vacant positions, including educating the public regarding alternative pathways to meeting the education and experience requirement for civil service positions;
- (4) Broadening the purpose of this measure to urge the Department of Human Resources Development to examine reasons for the high rate of vacant state positions and explore solutions for filling the vacancies, including reexamining the minimum qualification requirements for those positions and educating the public and, in particular, potential workers on alternative pathways to meet the minimum qualification requirements for civil service positions, including apprenticeship programs;
- (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 record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 122, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 122, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

**SCRep. 1519 Labor and Technology on S.C.R. No. 134**

The purpose and intent of this measure is to request that the Department of Labor and Industrial Relations continue to recognize and accept the right of a provider of service to assign the right to participate in a workers' compensation billing dispute to a billing company.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; Vintage Medical and Billing, LLC; Hawaii Injured Workers Association; Work Injury Medical Association of Hawaii; Pharmco Inc.; and one individual.

Your Committee finds that the State has an established precedent of allowing assigned billing review companies to participate in workers' compensation billing disputes regarding prescription medical claims on behalf of service providers. Your Committee further finds that there have been recent attempts to prohibit a service provider's ability to assign its right to participate in these disputes to billing review companies and recognizes that this prohibition may lead to adverse impacts, including refusal to pay legitimate claims, backlog in workers' compensation billing disputes, and delay the reasonable return of injured employees to work. Your Committee notes that there is a lack of clarity regarding the Department of Labor and Industrial Relations' policy of allowing a billing company the right to negotiate workers' compensation bill disputes on behalf of a service provider because chapter 386, Hawaii Revised Statutes, regarding workers' compensation, is silent on the service provider's right. Your Committee believes that statutory amendments to the State's Workers' Compensation Law are necessary to ensure that service providers have the legal right to assign their rights to negotiate a bill dispute to their billing companies.

Therefore, your Committee has amended this measure by:

- (1) Requesting the Department of Labor and Industrial Relations to:
  - (A) Review the State's Workers' Compensation Law for proposed amendments to ensure that service providers may assign the right to negotiate a bill dispute to a billing company; and
  - (B) Include the proposed amendments in a report to the Legislature prior to the Regular Session of 2024;
- (2) Removing the Director of Human Resources Development from the list of certified copy recipients;
- (3) Amending its title 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 Labor and Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 134, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 134, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

**SCRep. 1520 Labor and Technology on S.C.R. No. 208**

The purpose and intent of this measure is to request that the Department of Labor and Industrial Relations:

- (1) Research current actuarial data and population studies for the purpose of creating updated materials for assessing appropriate benefit amounts for dependent surviving spouses, dependent surviving children, dependent surviving parents, and dependent surviving grandparents, as well as establishing updated standards for distinguishing wholly dependent beneficiaries from partially dependent beneficiaries; and
- (2) Deliver a report summarizing the results of its research, along with recommendations for revising the differing amounts of weekly benefits to surviving beneficiaries based on relationship status and degree of dependency, if any, and further suggest necessary legislation for implementation of any necessary adjustments prior to the convening of the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations.

Your Committee finds that the Department of Labor and Industrial Relations (DLIR) bases its calculations for different generations of surviving beneficiaries on an actuarial table from a study conducted in 1963. Your Committee recognizes that Hawaii's cost of living and prevailing maximum benefit rate has substantially changed over the last sixty years, and therefore an updated study is necessary to ensure that the State compensates its workers and their dependents fairly and equitably in the event of work-related disability or death. According to testimony received by your Committee, DLIR currently does not have any specialized experts on its staff that can fulfill the requested actions in this measure. Your Committee notes that DLIR would require additional time and funding to contract with an actuary to provide the analysis and assessment requested.

Therefore, your Committee has amended this measure by:

- (1) Deleting language requesting that the Department of Labor and Industrial Relations:
  - (A) Research current actuarial data and population studies for the purpose of creating updated materials for assessing appropriate benefit amounts for dependent surviving spouses, dependent surviving children, dependent surviving parents, and dependent surviving grandparents, as well as establishing updated standards for distinguishing wholly dependent beneficiaries from partially dependent beneficiaries; and
  - (B) Deliver a report summarizing the results of its research, along with recommendations for revising the differing amounts of weekly benefits to surviving beneficiaries based on relationship status and degree of dependency, if any, and further suggest necessary legislation for implementation of any necessary adjustments prior to the convening of the Regular Session of 2024;
- (2) Inserting language that requests the Department of Labor and Industrial Relations to:
  - (A) Analyze the available data on Hawaii workers' compensation cases relating to death benefits for the past ten years and obtain any additional data from the Hawaii Insurers Council or any other state or federal sources to recommend any updates to the Workers' Compensation Law; and
  - (B) Submit a report to the Legislature of its findings and recommendations for updating the Workers' Compensation Law, particularly section 386-41, Hawaii Revised Statutes, no later than twenty days prior to the convening of the Regular Session of 2024;
- (3) Amending its title in accordance with 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 Labor and Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 208, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 208, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Ihara).

**SCRep. 1521 Labor and Technology on S.R. No. 148**

The purpose and intent of this measure is to request that the Department of Labor and Industrial Relations:

- (1) Research current actuarial data and population studies for the purpose of creating updated materials for assessing appropriate benefit amounts for dependent surviving spouses, dependent surviving children, dependent surviving parents, and dependent surviving grandparents, as well as establishing updated standards for distinguishing wholly dependent beneficiaries from partially dependent beneficiaries; and
- (2) Deliver a report summarizing the results of its research, along with recommendations for revising the differing amounts of weekly benefits to surviving beneficiaries based on relationship status and degree of dependency, if any, and further suggest necessary legislation for implementation of any necessary adjustments prior to the convening of the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations.

Your Committee finds that the Department of Labor and Industrial Relations (DLIR) bases its calculations for different generations of surviving beneficiaries on an actuarial table from a study conducted in 1963. Your Committee recognizes that Hawaii's cost of living and prevailing maximum benefit rate has substantially changed over the last sixty years, and therefore an updated study is necessary to ensure that the State compensates its workers and their dependents fairly and equitably in the event of work-related disability or death. According to testimony received by your Committee, DLIR currently does not have any specialized experts on its staff that can fulfill the requested actions in this measure. Your Committee notes that DLIR would require additional time and funding to contract with an actuary to provide the analysis and assessment requested.

Therefore, your Committee has amended this measure by:

- (1) Deleting language requesting that the Department of Labor and Industrial Relations:
  - (A) Research current actuarial data and population studies for the purpose of creating updated materials for assessing appropriate benefit amounts for dependent surviving spouses, dependent surviving children, dependent surviving parents, and dependent surviving grandparents, as well as establishing updated standards for distinguishing wholly dependent beneficiaries from partially dependent beneficiaries; and
  - (B) Deliver a report summarizing the results of its research, along with recommendations for revising the differing amounts of weekly benefits to surviving beneficiaries based on relationship status and degree of dependency, if any, and further suggest necessary legislation for implementation of any necessary adjustments prior to the convening of the Regular Session of 2024;
- (2) Inserting language that requests the Department of Labor and Industrial Relations to:
  - (A) Analyze the available data on Hawaii workers' compensation cases relating to death benefits for the past ten years and obtain any additional data from the Hawaii Insurers Council or any other state or federal sources to recommend any updates to the Workers' Compensation Law; and
  - (B) Submit a report to the Legislature of its findings and recommendations for updating the Workers' Compensation Law, particularly section 386-41, Hawaii Revised Statutes, no later than twenty days prior to the convening of the Regular Session of 2024;
- (3) Amending its title in accordance with 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 Labor and Technology that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 148, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 148, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Ihara).

**SCRep. 1522 Transportation and Culture and the Arts on S.C.R. No. 114**

The purpose and intent of this measure is to recognize August 8, 2023, as Hawaiian Honeycreepers Celebration Day.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; The Nature Conservancy; numerous students from 'Iolani School, Manoa Elementary School, Hawaii Technology Academy; and fifteen individuals.

Your Committee finds that Hawaii is experiencing a manu (bird) extinction crisis, with ninety-five of its one hundred forty-two endemic bird species having become extinct and the remaining forty-seven species facing critical threats. Additionally, of the more than fifty species of honeycreepers endemic to Hawaii, only seventeen species remain, and twelve species are designated by the federal or state government as critically endangered or threatened. With the introduction of mosquitoes to Hawaii in 1826 and mosquito-borne diseases such as avian malaria and pox in the 1900s, the range of Hawaiian honeycreepers has largely shrunk to high-elevation cool forests such as Alakai Plateau on Kauai; Haleakala on Maui; and Mauna Kea and Mauna Loa on Hawaii Island.

Your Committee further finds that Hawaiian honeycreepers, like all manu species, function as pollinators, nutrient cyclers, seed dispensers, and pest managers, keeping the State's forests healthy and catalyzing natural cycles in native ecosystems. Hawaiian honeycreepers are also culturally significant to Native Hawaiians, who foster reciprocal relationships with native manu and regard them as messengers between the gods and the people as told in various moololo (stories), olelo noeau (proverbs), kaaos (legends), and mele (songs). Feathers from honeycreepers were also vital in ancient Hawaii to adorn alii (chiefs) with symbols of power and authority. This measure recognizes the scientific and cultural significance of Hawaiian honeycreepers to protect native manu species from further harm.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 114 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1523 Transportation and Culture and the Arts on S.R. No. 107**

The purpose and intent of this measure is to recognize August 8, 2023, as Hawaiian Honeycreepers Celebration Day.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; The Nature Conservancy; numerous students from 'Iolani School, Manoa Elementary School, and Mountain View Elementary School; and seven individuals.

Your Committee finds that Hawaii is experiencing a manu (bird) extinction crisis, with ninety-five of its one hundred forty-two endemic bird species having become extinct and the remaining forty-seven species facing critical threats. Additionally, of the more than fifty species of honeycreepers endemic to Hawaii, only seventeen species remain, and twelve species are designated by the federal or state government as critically endangered or threatened. With the introduction of mosquitoes to Hawaii in 1826 and mosquito-borne diseases such as avian malaria and pox in the 1900s, the range of Hawaiian honeycreepers has largely shrunk to high-elevation cool forests such as Alakai Plateau on Kauai; Haleakala on Maui; and Mauna Kea and Mauna Loa on Hawaii Island.

Your Committee further finds that Hawaiian honeycreepers, like all manu species, function as pollinators, nutrient cyclers, seed dispensers, and pest managers, keeping the State's forests healthy and catalyzing natural cycles in native ecosystems. Hawaiian honeycreepers are also culturally significant to Native Hawaiians, who foster reciprocal relationships with native manu and regard them as messengers between the gods and the people as told in various moolo (stories), olelo noeau (proverbs), kaa (legends), and mele (songs). Feathers from honeycreepers were also vital in ancient Hawaii to adorn alii (chiefs) with symbols of power and authority. This measure recognizes the scientific and cultural significance of Hawaiian honeycreepers to protect native manu species from further harm.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 107 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1524 Transportation and Culture and the Arts on S.C.R. No. 148**

The purpose and intent of this measure is to request the State Foundation on Culture and the Arts to establish a Museum of Modern Hawaii History Task Force.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts, Department of Accounting and General Services, and Judiciary.

Your Committee finds that in the modern era, Hawaii has made national and global impacts that deserve to be celebrated and taught to both visitors and residents. As the site of national and global historical events such as the events of World War II; political progress such as Title IX of the Education Amendments of 1972; and landmark judicial rulings such as the *Baehr v. Miike*, 80 Haw. 341 (1996), decision relating to same-sex marriage, the State has been instrumental as a birthplace to political, judicial, and social progress. More recently, the State also played a pivotal role in climate change initiatives with the enactment of Act 97, Session Laws of Hawaii 2015, which establishes a renewable energy portfolio standards target of one hundred percent renewable electric energy by 2045.

Your Committee further finds that other institutions in the State share the histories and stories of Hawaii's history before the modern era. Institutions such as the Bernice Pauahi Bishop Museum, also known as the State of Hawaii Museum of Natural and Cultural History; Iolani Palace; King Kamehameha V Judiciary History Center; and State Archives all tell the story of Hawaii's history up to the overthrow era, but do not have a space dedicated to sharing the story of the modern era. As history serves as a dialogue between past and present, this measure provides an additional opportunity for the State to share its history and story with the world.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 148 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1525 Transportation and Culture and the Arts on S.R. No. 144**

The purpose and intent of this measure is to request the State Foundation on Culture and the Arts to establish a Museum of Modern Hawaii History Task Force.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts, Department of Accounting and General Services, and Judiciary.

Your Committee finds that in the modern era, Hawaii has made national and global impacts that deserve to be celebrated and taught to both visitors and residents. As the site of national and global historical events such as the events of World War II; political progress such as Title IX of the Education Amendments of 1972; and landmark judicial rulings such as the *Baehr v. Miike*, 80 Haw. 341 (1996), decision relating to same-sex marriage, the State has been instrumental as a birthplace to political, judicial, and social progress. More recently, the State also played a pivotal role in climate change initiatives with the enactment of Act 97, Session Laws of Hawaii 2015, which establishes a renewable energy portfolio standards target of one hundred percent renewable electric energy by 2045.

Your Committee further finds that other institutions in the State share the histories and stories of Hawaii's history before the modern era. Institutions such as the Bernice Pauahi Bishop Museum, also known as the State of Hawaii Museum of Natural and Cultural History; Iolani Palace; King Kamehameha V Judiciary History Center; and State Archives all tell the story of Hawaii's history up to the overthrow era, but do not have a space dedicated to sharing the story of the modern era. As history serves as a dialogue between past and present, this measure provides an additional opportunity for the State to share its history and story with the world.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 144 and recommends its adoption.



Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1526 (Joint) Transportation and Culture and the Arts and Government Operations on S.C.R. No. 98**

The purpose and intent of this measure is to urge the Department of Transportation and Department of Accounting and General Services to collaborate to develop, implement, administer, and manage various transportation system programs at public facilities that include but are not limited to construction or conversion of parking stalls to accommodate electric vehicle charging, secure bicycle storage lockers, and parking stall sharing between public employees.

Your Committees received testimony in support of this measure from the Hawai'i Bicycling League. 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 and Hawaii State Energy Office.

Your Committees have amended this measure by:

- (1) Including the Hawaii State Energy Office among the agencies requested to develop, implement, administer, and manage various transportation system programs at public facilities;
- (2) Requesting the Department of Transportation, Department of Accounting and General Services, and Hawaii State Energy Office to consider transportation options for neighbor island public employees;
- (3) Requesting the Department of Transportation, Department of Accounting and General Services, and Hawaii State Energy Office to ensure that available electric vehicle charging infrastructure exceeds expected demand;
- (4) Adding the Hawaii State Energy Office to the list of recipients of certified copies;
- (5) Amending its title in accordance with its amended purpose; and
- (6) 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 Culture and the Arts and Government Operations that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 98, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 98, S.D. 1.

Signed by the Chairs on behalf of the Committees.  
Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.  
Government Operations: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1527 (Joint) Transportation and Culture and the Arts and Government Operations on S.R. No. 91**

The purpose and intent of this measure is to urge the Department of Transportation and Department of Accounting and General Services to collaborate to develop, implement, administer, and manage various transportation system programs at public facilities that include but are not limited to construction or conversion of parking stalls to accommodate electric vehicle charging, secure bicycle storage lockers, and parking stall sharing between public employees.

Your Committees received testimony in support of this measure from the Hawaii Bicycling League. Your Committees received comments on this measure from the Department of Accounting and General Services and Hawaii State Energy Office.

Your Committees have amended this measure by:

- (1) Including the Hawaii State Energy Office among the agencies requested to develop, implement, administer, and manage various transportation system programs at public facilities;
- (2) Requesting the Department of Transportation, Department of Accounting and General Services, and Hawaii State Energy Office to consider transportation options for neighbor island public employees;
- (3) Requesting the Department of Transportation, Department of Accounting and General Services, and Hawaii State Energy Office to ensure that available electric vehicle charging infrastructure exceeds expected demand;
- (4) Adding the Hawaii State Energy Office to the list of recipients of certified copies;
- (5) Amending its title in accordance with its amended purpose; and
- (6) 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 Culture and the Arts and Government Operations 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.  
Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.  
Government Operations: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1528 (Majority) Transportation and Culture and the Arts on S.C.R. No. 175**

The purpose and intent of this measure is to encourage the State to build a partnership with the Kingdom of the Netherlands and collaborate on similar, shared challenges and goals.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawai'i Farm Bureau; and two individuals.

Your Committee finds that the Netherlands is a northwestern European country notable for its economic, cultural, and ecological contributions to world history. Similar to Hawaii, the Netherlands is especially vulnerable to climate change as seventeen percent of its land has been reclaimed by bodies of water. Additionally, as the Netherlands is particularly threatened by sea level rise and flooding brought on by global warming, the Kingdom has developed inventive land reclamation and flood mitigation strategies that could be replicated in Hawaii to defend the State from impending catastrophic sea level rise.

Your Committee further finds that, as a country renowned for its innovative and productive agricultural practices, the Netherlands could also serve as a model for the State in promoting local farms. As an agricultural pioneer, the Netherlands created transportation solutions to reduce costs, curb emissions, and improve safety that could also be replicated in the State. Therefore, this measure encourages the creation of a partnership with the Kingdom of the Netherlands to provide a foundation for cross-cultural exchange, opportunities to learn, and collaborative partnerships.

Your Committee has amended this measure by specifying that Hawaii and the Netherlands are both members of the Local2030 Islands Network and are committed to the same sustainable development goals.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 175, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 175, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1529 (Majority) Transportation and Culture and the Arts on S.R. No. 119**

The purpose and intent of this measure is to encourage the State to build a partnership with the Kingdom of the Netherlands and collaborate on similar, shared challenges and goals.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawai'i Farm Bureau; and two individuals.

Your Committee finds that the Netherlands is a northwestern European country notable for its economic, cultural, and ecological contributions to world history. Similar to Hawaii, the Netherlands is especially vulnerable to climate change as seventeen percent of its land has been reclaimed by bodies of water. Additionally, as the Netherlands is particularly threatened by sea level rise and flooding brought on by global warming, the Kingdom has developed inventive land reclamation and flood mitigation strategies that could be replicated in Hawaii to defend the State from impending catastrophic sea level rise.

Your Committee further finds that, as a country renowned for its innovative and productive agricultural practices, the Netherlands could also serve as a model for the State in promoting local farms. As an agricultural pioneer, the Netherlands created transportation solutions to reduce costs, curb emissions, and improve safety that could also be replicated in the State. Therefore, this measure encourages the creation of a partnership with the Kingdom of the Netherlands to provide a foundation for cross-cultural exchange, opportunities to learn, and collaborative partnerships.

Your Committee has amended this measure by specifying that Hawaii and the Netherlands are both members of the Local2030 Islands Network and are committed to the same sustainable development goals.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 119, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 119, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1530 Water and Land on S.C.R. No. 224**

The purpose and intent of this measure is to request the Auditor to conduct a comprehensive management audit of the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Free Access Coalition, Wailoa River and Reeds Bay Boating and Users Association, and nineteen individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the poor condition of small boat harbors and boating facilities has been a recurring problem for the State. In 2001, the Auditor found that the Division of Boating and Ocean Recreation's mismanagement and neglect allowed many facilities to deteriorate to the point where their continued use threatened public safety, with many facilities facing permanent closure absent major repairs. Your Committee finds that, over twenty years later, several small boat harbors and boating facilities continue to exist in dilapidated conditions and that further improvements are necessary for the protection of public safety. Therefore, this measure requests the Auditor to conduct a comprehensive management audit to assess the Division's maintenance and operation of its facilities, whether the Division is meeting its goals outlined in its 2019 strategic action plan, and whether the Division is using taxes and fees collected for its small boat harbors appropriately.

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. 224 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1531 Water and Land on S.R. No. 162**

The purpose and intent of this measure is to request the Auditor to conduct a comprehensive management audit of the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the poor condition of small boat harbors and boating facilities has been a recurring problem for the State. In 2001, the Auditor found that the Division of Boating and Ocean Recreation's mismanagement and neglect allowed many facilities to deteriorate to the point where their continued use threatened public safety, with many facilities facing permanent closure absent major repairs. Your Committee finds that, over twenty years later, several small boat harbors and boating facilities continue to exist in dilapidated conditions and that further improvements are necessary for the protection of public safety. Therefore, this measure requests the Auditor to conduct a comprehensive management audit to assess the Division's maintenance and operation of its facilities, whether the Division is meeting its goals outlined in its 2019 strategic action plan, and whether the Division is using taxes and fees collected for its small boat harbors appropriately.

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. 162 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1532 Water and Land on S.C.R. No. 229**

The purpose and intent of this measure is to request the Department of Land and Natural Resources to conduct a study on the Marine Life Conservation District designations.

Your Committee received testimony in opposition to this measure from the Ocean Tourism Coalition. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that in response to the excessive taking of fish in coastal waters, the Legislature enacted Act 192, Session Laws of Hawaii 1955, to allow for the creation of Marine Life Conservation Districts (MLCDs) that help conserve and replenish marine resources by limiting fishing and prohibiting certain uses entirely. Your Committee further finds that there are currently ten MLCDs throughout the State, each with unique rules and regulations, and that an assessment would help inform whether additional or more uniform protections are necessary. Therefore, this measure requests the Department of Land and Natural Resources to study the effectiveness of MLCDs in carrying out their purpose and how MLCDs compare to other International Union for Conservation of Nature protected areas.

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. 229 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1533 Water and Land on S.R. No. 167**

The purpose and intent of this measure is to request the Department of Land and Natural Resources to conduct a study on the Marine Life Conservation District designations.

Your Committee received testimony in opposition to this measure from the Ocean Tourism Coalition. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that in response to the excessive taking of fish in coastal waters, the Legislature enacted Act 192, Session Laws of Hawaii 1955, to allow for the creation of Marine Life Conservation Districts (MLCDs) that help conserve and replenish marine resources by limiting fishing and prohibiting certain uses entirely. Your Committee further finds that there are currently ten MLCDs throughout the State, each with unique rules and regulations, and that an assessment would help inform whether additional or more uniform protections are necessary. Therefore, this measure requests the Department of Land and Natural Resources to study the effectiveness of MLCDs in carrying out their purpose and how MLCDs compare to other International Union for Conservation of Nature protected areas.

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. 167 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1534 Water and Land on S.C.R. No. 227**

The purpose and intent of this measure is to request the Department of Land and Natural Resources to implement an immediate fine for grounded vessels that have reasonably caused significant damage to the environment or created a material burden on the state for its removal.

Your Committee received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that grounded vessels can cause considerable damage to the State's natural resources by smashing coral reefs and poisoning fish and other native marine wildlife. However, your Committee also finds that the State's current recourse process for grounded vessels is onerous, requiring the Department of Land and Natural Resources to submit a fact-intensive recommendation of proposed administrative penalties to the Board of Land and Natural Resources, which can often take weeks or months. Your

Committee finds that an immediate fine for grounded vessels could serve as a deterrence to irresponsible vessel owners and also provide a cost offset for the State while it investigates and finalizes its recommended penalties to the Board. Therefore, this measure requests the Department of Land and Natural Resources to implement an immediate fine of \$10,000 for grounded vessels.

Your Committee has amended this measure by:

- (1) Removing the qualifier that the damage to the environment reasonably caused by a grounded vessel be "significant" to be immediately fined; and
- (2) Amending its title in accordance with its amended purpose.

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. 227, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 227, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1535 Water and Land on S.R. No. 165**

The purpose and intent of this measure is to request the Department of Land and Natural Resources to implement an immediate fine for grounded vessels that have reasonably caused significant damage to the environment or created a material burden on the state for its removal.

Your Committee received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition. 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 grounded vessels can cause considerable damage to the State's natural resources by smashing coral reefs and poisoning fish and other native marine wildlife. However, your Committee also finds that the State's current recourse process for grounded vessels is onerous, requiring the Department of Land and Natural Resources to submit a fact-intensive recommendation of proposed administrative penalties to the Board of Land and Natural Resources, which can often take weeks or months. Your Committee finds that an immediate fine for grounded vessels could serve as a deterrence to irresponsible vessel owners and also provide a cost offset for the State while it investigates and finalizes its recommended penalties to the Board. Therefore, this measure requests the Department of Land and Natural Resources to implement an immediate fine of \$10,000 for grounded vessels.

Your Committee has amended this measure by:

- (1) Removing the qualifier that the damage to the environment reasonably caused by a grounded vessel be "significant" to be immediately fined; and
- (2) Amending its title in accordance with its amended purpose.

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. 165, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 165, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1536 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 193**

The purpose and intent of this measure is to request the City and County of Honolulu to improve and widen the Keaau Beach Park parking lot to make it suitable to serve as a turnaround point for public bus transportation.

Your Committees received testimony in support of this measure from one individual.

Your Committees find that Makau Street is located in a residentially zoned neighborhood in Waianae, Oahu, situated between the world famous Makaha Beach Park to the south and Keaau Beach Park to the north. Presently two public bus routes that service the area pass through Makau Street, a narrow, unmarked two-way street encompassed by curbside parking on both sides, which can require pedestrians to enter the street to bypass parked cars. In addition to near accidents from speeding buses, Makau Street experienced approximately thirteen water main breaks. This measure seeks to address safety and infrastructure concerns near Makau Street to alleviate ongoing issues in the area.

Your Committees have amended this measure by:

- (1) Requesting the City and County of Honolulu to relocate the bus turnaround off Makau Street to Keaau Beach Park or the surrounding area; and
- (2) Amending its title in accordance with its amended purpose.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 193, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 193, S.D. 1.

Signed by the Chairs on behalf of the Committees.  
Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Inouye).  
Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, McKelvey).

**SCRep. 1537 (Joint) Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs on S.R. No. 198**

The purpose and intent of this measure is to request the City and County of Honolulu to improve and widen the Keaau Beach Park parking lot to make it suitable to serve as a turnaround point for public bus transportation.

Your Committees did not receive any testimony on this measure.

Your Committees find that Makau Street is located in a residentially zoned neighborhood in Waianae, Oahu, situated between the world famous Makaha Beach Park to the south and Keaau Beach Park to the north. Presently two public bus routes that service the area pass through Makau Street, a narrow, unmarked two-way street encompassed by curbside parking on both sides, which can require pedestrians to enter the street to bypass parked cars. In addition to near accidents from speeding buses, Makau Street experienced approximately thirteen water main breaks. This measure seeks to address safety and infrastructure concerns near Makau Street to alleviate ongoing issues in the area.

Your Committees have amended this measure by:

- (1) Requesting the City and County of Honolulu to relocate the bus turnaround off Makau Street to Keaau Beach Park or the surrounding area; and
- (2) Amending its title in accordance with its amended purpose.

As affirmed by the records of votes of the members of your Committees on Transportation and Culture and the Arts and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 198, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 198, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Inouye).

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, McKelvey).

**SCRep. 1538 (Majority) Transportation and Culture and the Arts on S.C.R. No. 72**

The purpose and intent of this measure is to request the establishment of a Hawaii-Taiwan Friendship Task Force to explore ways to strengthen, improve, and expand economic, cultural, and educational relations between Hawaii and Taiwan.

Your Committee received testimony in support of this measure from the Taipei Economic and Cultural Office.

Your Committee finds that Taiwan and Hawaii have had an established sister-state relationship since 1993, including relationships between Honolulu and Kaohsiung City; Maui County and Pingtung County; Hawaii County and Hualien County; and Kauai County and Penghu County. In 2021, Taiwan was Hawaii's tenth-largest trade partner, with exports to the State totaling \$54 million and imports from the State totaling \$13 million. Your Committee further finds that before the coronavirus disease 2019 pandemic, Taiwanese citizens made over seventeen million trips abroad, and loosened travel restrictions provide potential for Taiwanese visitors to Hawaii to further help revitalize the State's tourism sector.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 72 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1539 (Majority) Transportation and Culture and the Arts on S.C.R. No. 176**

The purpose and intent of this measure is to encourage the State's collaboration with sister-states on global environmental leadership.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Act 97, Session Laws of Hawaii 2015, set a goal for the State to achieve one hundred percent renewable energy by 2045; and Act 15, Session Laws of Hawaii 2018, established a zero emissions clean economy target to sequester more carbon emissions than produced annually by 2045. Additionally, under other agreements such as the Under2 Coalition Memorandum of Understanding, the United States Climate Alliance, and the Paris Agreement, the State is further committed to its clean energy and sustainability goals. While other nations, including subnational governments, are working toward adopting similar goals and building clean economies, and now that global cooperation on environmental and climate issues has strengthened, additional work is necessary to achieve renewable energy and clean economy targets. This measure encourages the State to collaborate with sister-states and further international collaboration and global meetings by learning about innovative solutions for climate change, building a clean economy, and expanding environmental protections.

Your Committee has amended this measure by:

- (1) Specifying that the Legislature passed Senate Concurrent Resolution No. 69, Regular Session of 2014, which endorses and supports the Aloha+ Challenge; and
- (2) Specifying that Hawaii is committed to achieving sustainable development goals and is a member of the Local2030 Islands Network.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 176, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 176, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1540 (Majority) Transportation and Culture and the Arts on S.R. No. 120**

The purpose and intent of this measure is to encourage the State's collaboration with sister-states on global environmental leadership.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Act 97, Session Laws of Hawaii 2015, set a goal for the State to achieve one hundred percent renewable energy by 2045; and Act 15, Session Laws of Hawaii 2018, established a zero emissions clean economy target to sequester more carbon emissions than produced annually by 2045. Additionally, under other agreements such as the Under2 Coalition Memorandum of Understanding, the United States Climate Alliance, and the Paris Agreement, the State is further committed to its clean energy and sustainability goals. While other nations, including subnational governments, are working toward adopting similar goals and building clean economies, and now that global cooperation on environmental and climate issues has strengthened, additional work is necessary to achieve renewable energy and clean economy targets. This measure encourages the State to collaborate with sister-states and further international collaboration and global meetings by learning about innovative solutions for climate change, building a clean economy, and expanding environmental protections.

Your Committee has amended this measure by:

- (1) Specifying that the Legislature passed Senate Concurrent Resolution No. 69, Regular Session of 2014, which endorses and supports the Aloha+ Challenge; and
- (2) Specifying that Hawaii is committed to achieving sustainable development goals and is a member of the Local2030 Islands Network.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts 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, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1541 (Joint/Majority) Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts on S.C.R. No. 150**

The purpose and intent of this measure is to request the counties to update the design and format of vehicle registration plates in response to growing electric vehicle and hybrid vehicle sales.

Your Committees received no testimony on this measure.

Your Committees find that electric vehicle adoption is growing exponentially, with many major car manufacturers phasing out gasoline-powered cars completely by 2035. Additionally, hybrid vehicle sales have been increasing as consumers view these vehicles as a convenient middle ground between conventional gasoline-powered vehicles and electric vehicles. At the current pace of electric vehicle sales, the existing electric vehicle license plate scheme will last for only five years. Your Committees believe that updating the present license plate schemes is necessary to accommodate shifting trends toward electric, hybrid, and gasoline-powered vehicle sales in the State. This measure will allow the State to effectively manage the distribution and circulation of license plates as consumer trends in the automotive industry rapidly change.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 150 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.  
Public Safety and Intergovernmental and Military Affairs: Ayes, 2. Noes, 1 (Awa). Excused, 2 (Fukunaga, McKelvey).  
Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Inouye).

**SCRep. 1542 (Joint/Majority) Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts on S.R. No. 146**

The purpose and intent of this measure is to request the counties to update the design and format of vehicle registration plates in response to growing electric vehicle and hybrid vehicle sales.

Your Committees received no testimony on this measure.

Your Committees find that electric vehicle adoption is growing exponentially, with many major car manufacturers phasing out gasoline-powered cars completely by 2035. Additionally, hybrid vehicle sales have been increasing as consumers view these vehicles as a convenient middle ground between conventional gasoline-powered vehicles and electric vehicles. At the current pace of electric vehicle sales, the existing electric vehicle license plate scheme will last for only five years. Your Committees believe that updating the present license plate schemes is necessary to accommodate shifting trends toward electric, hybrid, and gasoline-powered vehicle sales in the State. This measure will allow the State to effectively manage the distribution and circulation of license plates as consumer trends in the automotive industry rapidly change.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Transportation and Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 146 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 2. Noes, 1 (Awa). Excused, 2 (Fukunaga, McKelvey).

Transportation and Culture and the Arts: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Inouye).

**SCRep. 1543 Water and Land on S.C.R. No. 52**

The purpose and intent of this measure is to request the Legislative Reference Bureau to study potential solutions and make recommendations for a long-term management plan for Sunset Memorial Park.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that the years of neglect at Sunset Memorial Park in Pearl City, Oahu, has led to a damaged mausoleum, sinking graves, and overgrown grass and bushes that cover up hundreds of graves. In response, the Legislature enacted Act 193, Session Laws of Hawaii 2018 (Act 193), to require, among other things, the Department of Commerce and Consumer Affairs, in consultation with the Department of Accounting and General Services, to develop both short-term and long-term strategies for the upkeep, repair, and maintenance of the cemetery. Your Committee finds that almost five years have passed since the enactment of Act 193, and a long-term plan is still not in place. Therefore, this measure requests the Legislative Reference Bureau to study and recommend a long-term management plan for Sunset Memorial Park.

Notwithstanding, your Committee has heard the testimony of the Legislative Reference Bureau, which expressed their concern that they do not have the subject matter expertise or personnel necessary to carry out such a study. Instead, the Legislative Reference Bureau suggested that a working group comprising relevant and knowledgeable parties might provide a better path forward.

Therefore, your Committee has amended this measure by:

- (1) Requesting the convening of a Sunset Memorial Park Working Group to study potential solutions and make recommendations for a long-term management plan, instead of the Legislative Reference Bureau;
- (2) Requesting the Sunset Memorial Park Working Group to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024;
- (3) Adding the President of the Senate and the Speaker of the House of Representatives to the list of those designated to receive a certified copy of this Concurrent Resolution;
- (4) Amending its title in accordance with 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 Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 52, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 52, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1544 Water and Land on S.R. No. 47**

The purpose and intent of this measure is to request the Legislative Reference Bureau to study potential solutions and make recommendations for a long-term management plan for Sunset Memorial Park.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that the years of neglect at Sunset Memorial Park in Pearl City, Oahu, has led to a damaged mausoleum, sinking graves, and overgrown grass and bushes that cover up hundreds of graves. In response, the Legislature enacted Act 193, Session Laws of Hawaii 2018 (Act 193), to require, among other things, the Department of Commerce and Consumer Affairs, in consultation with the Department of Accounting and General Services, to develop both short-term and long-term strategies for the upkeep, repair, and maintenance of the cemetery. Your Committee finds that almost five years have passed since the enactment of Act 193, and a long-term plan is still not in place. Therefore, this measure requests the Legislative Reference Bureau to study and recommend a long-term management plan for Sunset Memorial Park.

Notwithstanding, your Committee has heard the testimony of the Legislative Reference Bureau, which expressed their concern that they do not have the subject matter expertise or personnel necessary to carry out such a study. Instead, the Legislative Reference Bureau suggested that a working group comprising relevant and knowledgeable parties might provide a better path forward.

Therefore, your Committee has amended this measure by:

- (1) Requesting the convening of a Sunset Memorial Park Working Group to study potential solutions and make recommendations for a long-term management plan, instead of the Legislative Reference Bureau;
- (2) Requesting the Sunset Memorial Park Working Group to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024;

- (3) Adding the President of the Senate and the Speaker of the House of Representatives to the list of those designated to receive a certified copy of this Resolution;
- (4) Amending its title in accordance with 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 Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 47, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 47, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1545 Water and Land on S.C.R. No. 116**

The purpose and intent of this measure is to request the Auditor to conduct a performance audit of all the programs within the State Historic Preservation Division of the Department of Land and Natural Resources.

Your Committee received comments on this measure from the Department of Land and Natural Resources and Office of the Auditor.

Your Committee finds that the State Historic Preservation Division comprises of three branches -- Architecture, Archaeology, History and Culture -- and together they collectively strive to preserve and protect Hawaii's historic identity. However, your Committee also finds that since at least 2002, the Division has suffered from mismanagement and insufficient staffing and funding, which have hindered its ability to carry out its duties and responsibilities in a timely manner. Your Committee notes that a review of the Division conducted by the Auditor in 2002 (Auditor's Report No. 02-20) identified, among other things, that inconsistent standards plagued the Burial Program, the Division failed to ensure the safekeeping of historical artifacts, that Division employees misused and exploited the Division's resources, and that the Division Administrator put the State at risk of losing federal grants, which comprised forty percent of the Division's funding. Subsequently, from 2009 through 2017, the National Parks Service developed a Corrective Action Plan for the Division and routinely reviewed its progress in order to allow the Division to remain an approved State Historic Preservation Office capable of receiving federal grant assistance. Your Committee finds that while the management of the Division has significantly improved, a second audit would be helpful to examine the Division's current ability to efficiently and effectively meet its mandate. Therefore, this measure requests the Auditor to conduct a performance audit of the Division.

Your Committee has amended this measure by:

- (1) Removing certain nonperformance-audit related items from the list of actions requested for the Auditor to perform, including an audit to determine whether the Division has adequate staffing and resources to conduct timely reviews and an audit to determine whether the Division maintains satisfactory record retention methodologies;
- (2) Requesting that the Auditor submit a report of its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025, instead of the Regular Session of 2024; 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. 116, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 116, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1546 Water and Land on S.R. No. 108**

The purpose and intent of this measure is to request the Auditor to conduct a performance audit of all the programs within the State Historic Preservation Division of the Department of Land and Natural Resources.

Your Committee received comments on this measure from the Department of Land and Natural Resources and Office of the Auditor.

Your Committee finds that the State Historic Preservation Division comprises of three branches -- Architecture, Archaeology, History and Culture -- and together they collectively strive to preserve and protect Hawaii's historic identity. However, your Committee also finds that since at least 2002, the Division has suffered from mismanagement and insufficient staffing and funding, which have hindered its ability to carry out its duties and responsibilities in a timely manner. Your Committee notes that a review of the Division conducted by the Auditor in 2002 (Auditor's Report No. 02-20) identified, among other things, that inconsistent standards plagued the Burial Program, the Division failed to ensure the safekeeping of historical artifacts, that Division employees misused and exploited the Division's resources, and that the Division Administrator put the State at risk of losing federal grants, which comprised forty percent of the Division's funding. Subsequently, from 2009 through 2017, the National Parks Service developed a Corrective Action Plan for the Division and routinely reviewed its progress in order to allow the Division to remain an approved State Historic Preservation Office capable of receiving federal grant assistance. Your Committee finds that while the management of the Division has significantly improved, a second audit would be helpful to examine the Division's current ability to efficiently and effectively meet its mandate. Therefore, this measure requests the Auditor to conduct a performance audit of the Division.

Your Committee has amended this measure by:

- (1) Removing certain nonperformance-audit related items from the list of actions requested for the Auditor to perform, including an audit to determine whether the Division has adequate staffing and resources to conduct timely reviews and an audit to determine whether the Division maintains satisfactory record retention methodologies;



- (2) Requesting that the Auditor submit a report of its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025, instead of the Regular Session of 2024; 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. 108, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 108, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1547 Government Operations on S.C.R. No. 10**

The purpose and intent of this measure is to request the Legislative Reference Bureau to conduct a study of potential positive and negative consequences of implementing term limits for members of the Legislature.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that fifteen states have imposed term limits on state legislators, thirty-six have imposed term limits on their governors, thirty-three states have imposed term limits on their members in the United States Congress and that, in contrast, the legislators of Idaho and Utah have repealed term limits on state legislators. Your Committee further finds that it is unclear whether or not term limits are beneficial or detrimental to the practice of democratic governance in the State. Therefore, this measure requests the Legislative Reference Bureau to conduct a study of potential positive and negative consequences of implementing term limits for members of the Legislature.

Your Committee has amended this measure by:

- (1) Adding findings to acknowledge that a massive and in-depth national study known as a Joint Project on Term Limits was conducted in 2004 as a cooperative effort by the National Conference of State Legislatures, Council of State Governments, State Legislative Leaders Foundation, and a number of legislative scholars to assess the effects of term limits;
- (2) Removing the Legislative Reference Bureau and replacing it with the National Conference of State Legislatures and Council of State Governments to not conduct, but instead to update the findings from the 2004 Joint Project on Term Limits;
- (3) Amending its title in accordance to its amended purpose;
- (4) Amending the list of certified copy recipients; 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. 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 (Awa).

**SCRep. 1548 Government Operations on S.R. No. 8**

The purpose and intent of this measure is to request the Legislative Reference Bureau to conduct a study of potential positive and negative consequences of implementing term limits for members of the Legislature.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that fifteen states have imposed term limits on state legislators, thirty-six have imposed term limits on their governors, thirty-three states have imposed term limits on their members in the United States Congress and that, in contrast, the legislators of Idaho and Utah have repealed term limits on state legislators. Your Committee further finds that it is unclear whether or not term limits are beneficial or detrimental to the practice of democratic governance in the State. Therefore, this measure requests the Legislative Reference Bureau to conduct a study of potential positive and negative consequences of implementing term limits for members of the Legislature.

Your Committee has amended this measure by:

- (1) Adding findings to acknowledge that a massive and in-depth national study known as a Joint Project on Term Limits was conducted in 2004 as a cooperative effort by the National Conference of State Legislatures, Council of State Governments, State Legislative Leaders Foundation, and a number of legislative scholars to assess the effects of term limits;
- (2) Removing the Legislative Reference Bureau and replacing it with the National Conference of State Legislatures and Council of State Governments to not conduct, but instead to update the findings from the 2004 Joint Project on Term Limits;
- (3) Amending its title in accordance to its amended purpose;
- (4) Amending the list of certified copy recipients; 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. 8, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 8, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1549 Government Operations on S.C.R. No. 168**

The purpose and intent of this measure is to request the Legislative Reference Bureau to conduct a study on the feasibility of a continuous legislative session.

Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that pursuant to article III, section 10, of the Hawaii State Constitution, the Legislature only has sixty to seventy-five session days, generally stretching from the middle of January to early May, to conduct its business of enacting legislation. Your Committee further finds that the compressed, rushed legislative process may inhibit the public from participating and advocating at the Legislature during a regular session. Furthermore, efficiency, productivity, orderliness, and transparency of the Legislature may be improved by requiring that the Legislature be in session during every month of the year or by having more days in session. This measure requests that the Legislative Reference Bureau conduct a study on the feasibility of a continuous legislative session that examines the functions of continuous legislatures in other states to determine any increases in productivity of the legislative session by allowing for more time for the legislative process.

Your Committee has amended this measure by:

- (1) Narrowing the scope of the study, which initially requested an examination of legislature functions, to a summary of laws from states that provide for a continuous session of their legislatures and, to the extent such information is available, the policy reasons for those states' laws; and
- (2) Amending its title in accordance with its amended purpose.

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. 168, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 168, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1550 Government Operations on S.R. No. 194**

The purpose and intent of this measure is to request the Legislative Reference Bureau to conduct a study on the feasibility of a continuous legislative session.

Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that pursuant to article III, section 10, of the Hawaii State Constitution, the Legislature only has sixty to seventy-five session days, generally stretching from the middle of January to early May, to conduct its business of enacting legislation. Your Committee further finds that the compressed, rushed legislative process may inhibit the public from participating and advocating at the Legislature during a regular session. Furthermore, efficiency, productivity, orderliness, and transparency of the Legislature may be improved by requiring that the Legislature be in session during every month of the year or by having more days in session. This measure requests that the Legislative Reference Bureau conduct a study on the feasibility of a continuous legislative session that examines the functions of continuous legislatures in other states to determine any increases in productivity of the legislative session by allowing for more time for the legislative process.

Your Committee has amended this measure by:

- (1) Narrowing the scope of the study, which initially requested an examination of legislature functions, to a summary of laws from states that provide for a continuous session of their legislatures and, to the extent such information is available, the policy reasons for those states' laws; and
- (2) Amending its title in accordance with its amended purpose.

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. 194, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 194, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1551 (Joint) Higher Education and Agriculture and Environment on S.C.R. No. 137**

The purpose and intent of this measure is to request the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to convene a working group to evaluate updating its extension sites.

Your Committees received testimony in support of this measure from the University of Hawai'i System and Hawai'i Farm Bureau.

Your Committees find that the agricultural research stations of the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources (CTAHR) are critical to the provision of cutting-edge research and applied science solutions that address climate change, agricultural profitability, food safety, biosecurity, nutrition, and food security. While these research stations perform

critical work, station infrastructure maintenance has long been deferred, inhibiting the stations' collective ability to respond to the research and education needs of the State's communities and growers. Investment in CTAHR's agricultural research stations is needed to prevent further loss of capacity, and convening a working group of governmental agencies, farming groups, and community stakeholders to evaluate cooperative extension sites for modernization initiatives is a necessary first step to addressing the infrastructure needs of these agricultural research stations.

Your Committees note that, per discussion with the University of Hawaii, CTAHR leadership meets with cooperative extension faculty and staff and community stakeholders on-site to identify the issues and needs of the research stations and the communities they serve. While valuable information is gathered during these visits, this information is not formally documented. Without reports, the Legislature, which has a vested interest in CTAHR and its agricultural research stations, lacks the means to monitor the needs of the agricultural research stations and the work of CTAHR more broadly. Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language requesting CTAHR to submit a report of its work, including the status of CTAHR's cooperative extension sites and staff, to the Legislature, in addition to the working group's report; 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 Higher Education and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 137, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 137, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Keith-Agaran).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Richards).

**SCRep. 1552 (Joint) Higher Education and Agriculture and Environment on S.R. No. 219**

The purpose and intent of this measure is to request the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to convene a working group to evaluate updating its extension sites.

Your Committees received testimony in support of this measure from the University of Hawai'i System, Hawai'i Farm Bureau, and one individual.

Your Committees find that the agricultural research stations of the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources (CTAHR) are critical to the provision of cutting-edge research and applied science solutions that address climate change, agricultural profitability, food safety, biosecurity, nutrition, and food security. While these research stations perform critical work, station infrastructure maintenance has long been deferred, inhibiting the stations' collective ability to respond to the research and education needs of the State's communities and growers. Investment in CTAHR's agricultural research stations is needed to prevent further loss of capacity, and convening a working group of governmental agencies, farming groups, and community stakeholders to evaluate cooperative extension sites for modernization initiatives is a necessary first step to addressing the infrastructure needs of these agricultural research stations.

Your Committees note that, per discussion with the University of Hawaii, CTAHR leadership meets with cooperative extension faculty and staff and community stakeholders on-site to identify the issues and needs of the research stations and the communities they serve. While valuable information is gathered during these visits, this information is not formally documented. Without reports, the Legislature, which has a vested interest in CTAHR and its agricultural research stations, lacks the means to monitor the needs of the agricultural research stations and the work of CTAHR more broadly. Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language requesting CTAHR to submit a report of its work, including the status of CTAHR's cooperative extension sites and staff, to the Legislature, in addition to the working group's report; 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 Higher Education and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 219, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 219, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Keith-Agaran).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Richards).

**SCRep. 1553 Higher Education on S.C.R. No. 79**

The purpose and intent of this measure is to urge the University of Hawaii to convene a working group to create a plan for the establishment of a maritime college and to establish a maritime college.

Your Committee received testimony in support of this measure from the International Longshore and Warehouse Union Local 142. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that maritime colleges combine critical career technical training with the well-rounded curriculum of a baccalaureate degree program to prepare individuals for maritime careers. Despite a shortage of mariners in the State, Hawaii does not have a maritime college. Given that many Hawaii residents cannot afford to attend college outside of the State, establishing a state

maritime college would increase access to the education necessary for maritime careers for Hawaii residents and would allow Hawaii's maritime industry to hire skilled workers from within the State, rather than from outside of Hawaii. This measure therefore addresses the lack of educational maritime opportunities in the State to help develop a robust, highly skilled local mariner workforce.

Your Committee has amended this measure by:

- (1) Deleting legislative findings suggesting that this body considers all offshore energy production to be marine energy; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 79, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 79, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Keith-Agaran).

**SCRep. 1554 Higher Education on S.R. No. 72**

The purpose and intent of this measure is to urge the University of Hawaii to convene a working group to create a plan for the establishment of a maritime college and to establish a maritime college.

Your Committee received testimony in support of this measure from the International Longshore and Warehouse Union Local 142. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that maritime colleges combine critical career technical training with the well-rounded curriculum of a baccalaureate degree program to prepare individuals for maritime careers. Despite a shortage of mariners in the State, Hawaii does not have a maritime college. Given that many Hawaii residents cannot afford to attend college outside of the State, establishing a state maritime college would increase access to the education necessary for maritime careers for Hawaii residents and would allow Hawaii's maritime industry to hire skilled workers from within the State, rather than from outside of Hawaii. This measure therefore addresses the lack of educational maritime opportunities in the State to help develop a robust, highly skilled local mariner workforce.

Your Committee has amended this measure by:

- (1) Deleting legislative findings suggesting that this body considers all offshore energy production to be marine energy; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 72, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 72, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Keith-Agaran).

**SCRep. 1555 Higher Education on S.C.R. No. 110**

The purpose and intent of this measure is to urge the University of Hawaii Community Colleges to establish baccalaureate degree programs in agricultural technology, food science, and education at Leeward Community College.

Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that leeward and central Oahu are in need of agricultural technology, food technology, and teaching programs. The need for agricultural technology and food technology programs stems from the predicted retirement of many of the State's farmers, who are nearing retirement age. Without new farmers, food production in the State will decline. Accessible agricultural technology and food technology programs can help draw students to farming and increase the number of new farmers in the State.

Your Committee notes the concerns that, per discussion with the University of Hawaii, establishing baccalaureate degree programs at Leeward Community College would require substantial changes with the College's accreditation body and would be contingent upon the University of Hawaii's review and approval. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Urging the University of Hawaii West Oahu, rather than the University of Hawaii Leeward Community College, to establish baccalaureate degree programs in agricultural technology, food science, and education;
- (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 Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 110, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 110, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Keith-Agaran).

**SCRep. 1556 Higher Education on S.R. No. 116**

The purpose and intent of this measure is to urge the University of Hawaii Community Colleges to establish baccalaureate degree programs in agricultural technology, food science, and education at Leeward Community College.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that leeward and central Oahu are in need of agricultural technology, food technology, and teaching programs. The need for agricultural technology and food technology programs stems from the predicted retirement of many of the State's farmers, who are nearing retirement age. Without new farmers, food production in the State will decline. Accessible agricultural technology and food technology programs can help draw students to farming and increase the number of new farmers in the State.

Your Committee notes the concerns that, per discussion with the University of Hawaii, establishing baccalaureate degree programs at Leeward Community College would require substantial changes with the College's accreditation body and would be contingent upon the University of Hawaii's review and approval. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Urging the University of Hawaii West Oahu, rather than the University of Hawaii Leeward Community College, to establish baccalaureate degree programs in agricultural technology, food science, and education;
- (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 Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 116, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 116, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Fukunaga, Keith-Agaran).

**SCRep. 1557 Energy, Economic Development, and Tourism on S.C.R. No. 82**

The purpose and intent of this measure is to support the Hawaii State Energy Office in the establishment of an integrated Hawaii Pacific Hydrogen Hub.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; Hawaii State Energy Office; University of Hawai'i System; and Servco Pacific, Inc.

Your Committee finds that the federal Infrastructure Investment and Jobs Act includes up to \$7,000,000,000 to establish six to ten regional clean hydrogen hubs across the United States to be a central driver in helping communities benefit from clean energy investments, good-paying jobs, and improved energy security. The Hawaii State Energy Office and its consortium of private-public sector partners' concept paper for an integrated Hawaii Pacific Hydrogen Hub was one of thirty-three concept papers to be encouraged by the United States Department of Energy to proceed to a full application for the United States Department of Energy Regional Clean Hydrogen Hubs funding opportunity. This measure supports the Hawaii State Energy Office in the establishment of an integrated Hawaii Pacific Hydrogen Hub that will provide economic vitality, better quality of life, and greater energy security for the people of Hawaii and the Pacific region through the local production, processing, transport, storage, and use of clean hydrogen.

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 Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 82, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 82, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1558 Energy, Economic Development, and Tourism on S.R. No. 73**

The purpose and intent of this measure is to support the Hawaii State Energy Office in the establishment of an integrated Hawaii Pacific Hydrogen Hub.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; Hawaii State Energy Office; University of Hawai'i System; and Servco Pacific, Inc.

Your Committee finds that the federal Infrastructure Investment and Jobs Act includes up to \$7,000,000,000 to establish six to ten regional clean hydrogen hubs across the United States to be a central driver in helping communities benefit from clean energy investments, good-paying jobs, and improved energy security. The Hawaii State Energy Office and its consortium of private-public sector partners' concept paper for an integrated Hawaii Pacific Hydrogen Hub was one of thirty-three concept papers to be encouraged by the United States Department of Energy to proceed to a full application for the United States Department of Energy Regional Clean Hydrogen Hubs funding opportunity. This measure supports the Hawaii State Energy Office in the establishment of an integrated Hawaii Pacific Hydrogen Hub that will provide economic vitality, better quality of life, and greater energy security for the people of Hawaii and the Pacific region through the local production, processing, transport, storage, and use of clean hydrogen.

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 Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 73, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 73, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1559 (Joint) Energy, Economic Development, and Tourism and Labor and Technology on S.C.R. No. 126**

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism and the Department of Labor and Industrial Relations to co-convene a working group to develop a comprehensive plan for workforce development with a focus on the priority economic clusters established by the Department of Business, Economic Development, and Tourism to meet the needs of the State's new economy.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Labor and Industrial Relations; University of Hawai'i System; Hawai'i Gas; and Hawaiian Telcom.

Your Committees find that the economic conditions resulting from the coronavirus disease 2019 (COVID-19) pandemic have given rise to workforce trends such as "the Great Resignation", "the Great Reshuffle", and "the Great Re-Think", and have motivated businesses to automate and find alternative solutions for driving business productivity. Your Committees further find that the Internet, the acceleration and proliferation of automation, and the digitization of business practices, along with the advancements in sensor technology, edge analytics, machine learning, and artificial intelligence, have globally given rise to the fourth Industrial Revolution, coined "Industry 4.0". Your Committees believe that the Department of Business, Economic Development, and Tourism and Department of Labor and Industrial Relations are well-equipped to support workforce development in the Industry 4.0-era due to their economic development and diversification plans and programs supporting the State's students and workers seeking employment, training, reemployment, and improved employment opportunities. This measure will help the State's economy adjust and respond to the new and uncertain economic conditions caused by the COVID-19 pandemic.

Your Committees have amended this measure by:

- (1) Amending the membership composition of the working group by:
  - (A) Replacing the President of the University of Hawaii with a representative from the Shidler College of Business at the University of Hawaii at Manoa, to be appointed by the President of the University of Hawaii; and
  - (B) Adding a member from each county's Office of Economic Development, or equivalent office or department, to be appointed by each county's respective mayor; 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 and Technology that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 126, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 126, S.D. 1.

Signed by the Chairs on behalf of the Committees.  
Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.  
Labor and Technology: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1560 Energy, Economic Development, and Tourism on S.C.R. No. 74**

The purpose and intent of this measure is to request the Hawaii Broadband and Digital Equity Office to increase access to Wi-Fi service in public parks throughout the State.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that access to the Internet is essential for life in the twenty-first century, which is increasingly reliant on digital technology. However, rural and neighbor island communities often lack the same basic infrastructure that urban residents enjoy. Although federal programs have been offered to assist low-income families in paying for certain broadband technology, many working families remain unable to afford the increasing monthly cost of internet service due to Hawaii's high cost of living. Your Committee further finds that numerous cities have begun installing Wi-Fi service in public parks to support internet access for underserved communities, including the cities of Los Angeles, California and Indianapolis, Indiana. Your Committee believes that increasing access to Wi-Fi service in public parks will help to address these disparities in internet access. This measure will therefore help to improve access to basic educational, occupational, and health care services by strengthening digital equity in 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 concurs with the intent and purpose of S.C.R. No. 74 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1561 Energy, Economic Development, and Tourism on S.C.R. No. 77**

The purpose and intent of this measure is to request the Hawaii State Energy Office to conduct a study to determine the extent to which owners of multiple properties that are places of public accommodation within the State aggregate their required parking spaces

and choose to designate and electrify parking spaces in a county that is not the same county where the majority of the parking spaces are located.

Your Committee received testimony in support of this measure from the Big Island Electric Vehicle Association. 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 lack of access to charging stations for electric vehicles has become one of the largest barriers to electric vehicle ownership. Existing law requires retailers that offer one hundred parking spaces to include at least one electric vehicle parking stall per one hundred spaces. However, existing law also allows electric vehicle charging stations to be distributed in an aggregated fashion on all of the owner's properties within the State, which allows retailers to place the required stalls in a single location and could potentially leave the State's residents in certain counties without any electric vehicle charging capabilities. Your Committee believes that public electric vehicle charging capabilities should be provided statewide to provide access to as many drivers as possible and incentivize the increased use of electric vehicles. This measure will promote equitable access to electric vehicle charging stations to residents in every county in 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 concurs with the intent and purpose of S.C.R. No. 77 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Kim, Fevella). Noes, none. Excused, none.

**SCRep. 1562 (Joint) Public Safety and Intergovernmental and Military Affairs and Hawaiian Affairs on S.C.R. No. 104**

The purpose and intent of this measure is to urge the United States Congress to pass the Hawaiian Home Lands Preservation Act to lower the required minimum blood quantum for certain Department of Hawaiian Home Lands successor lessee beneficiaries from one-quarter native Hawaiian blood to one thirty-second.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Kauhakō Ohana Association, Waimea Hawaiian Civic Club, and forty-five individuals. Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that the Hawaiian Homes Commission Act of 1920, as amended, is meant for the rehabilitation of the native Hawaiian people through a government-led homesteading program. However, in the near future, the minimum blood quantum requirement of one-half native Hawaiian blood will essentially bar all new applicants and thus frustrate the purpose and intent of the Hawaiian Homes Commission Act of 1920, as amended. In realizing the dilutive effect of interracial marriages on the blood quantum, the State reduced the minimum blood quantum requirement of certain lessees successors from one-quarter to one thirty-second by enacting Act 80, Session Laws of Hawaii 2017 (Act 80). Your Committees believe that the passage of the Hawaiian Home Lands Preservation Act will align the federal minimum blood quantum requirement with that established by Act 80 and satisfy the legal requirement that Act 80 receives the consent of the United States Congress to become effective. This measure will help to ensure that future successor lessees can continue to qualify as beneficiaries of the Hawaiian Homes Commission Act of 1920.

Your Committees have amended this measure by:

- (1) Urging Hawaii's congressional delegation to re-introduce and support the passage of the Hawaiian Home Lands Preservation Act instead of urging the United States Congress to pass the Hawaiian Home Lands Preservation Act;
- (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 Public Safety and Intergovernmental and Military Affairs and Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 104, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 104, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Wakai).

Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Richards).

**SCRep. 1563 (Joint) Public Safety and Intergovernmental and Military Affairs and Hawaiian Affairs on S.R. No. 93**

The purpose and intent of this measure is to urge the United States Congress to pass the Hawaiian Home Lands Preservation Act to lower the required minimum blood quantum for certain Department of Hawaiian Home Lands successor lessee beneficiaries from one-quarter native Hawaiian blood to one thirty-second.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands and three individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the Hawaiian Homes Commission Act of 1920, as amended, is meant for the rehabilitation of the native Hawaiian people through a government-led homesteading program. However, in the near future, the minimum blood quantum requirement of one-half native Hawaiian blood will essentially bar all new applicants and thus frustrate the purpose and intent of the Hawaiian Homes Commission Act of 1920, as amended. In realizing the dilutive effect of interracial marriages on the blood quantum, the State reduced the minimum blood quantum requirement of certain lessees successors from one-quarter to one thirty-second by enacting Act 80, Session Laws of Hawaii 2017 (Act 80). Your Committees believe that the passage of the Hawaiian Home Lands Preservation Act will align the federal minimum blood quantum requirement with that established by Act 80 and satisfy the legal requirement that Act 80 receives the consent of the United States Congress to become effective. This measure will help to ensure that future successor lessees can continue to qualify as beneficiaries of the Hawaiian Homes Commission Act of 1920.

Your Committees have amended this measure by:

- (1) Urging Hawaii's congressional delegation to re-introduce and support the passage of the Hawaiian Home Lands Preservation Act instead of urging the United States Congress to pass the Hawaiian Home Lands Preservation Act;
- (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 Public Safety and Intergovernmental and Military Affairs and Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 93, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 93, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Wakai).

Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Richards).

**SCRep. 1564 (Majority) Health and Human Services on S.C.R. No. 217**

The purpose and intent of this measure is to urge the Department of Health to:

- (1) Amend its administrative rules, pursuant to Chapter 91, Hawaii Revised Statutes, to:
  - (A) Create an updated list of reasonable precautions that a landowner may take to prevent visible fugitive dust from the land from becoming airborne, particularly when the land is vacant and undeveloped;
  - (B) Specify the best practical operations or treatments an owner of vacant undeveloped land may take or implement to prevent visible fugitive dust that originates from the land from being discharged beyond the land's lot line;
  - (C) Require each owner of vacant, undeveloped land in the State to submit to the Department a fugitive dust mitigation plan for the owner's vacant undeveloped land, which shall be subject to approval by the Director of Health; and
  - (D) Impose appropriate penalties for violations of rules relating to fugitive dust;
- (2) Monitor fugitive dust across the State; and
- (3) Report its progress and any recommendations to the Legislature before the Regular Session of 2024.

Your Committee did not receive testimony on this measure.

Your Committee finds that in windy conditions, large dust storms can originate from former agricultural lands in the State that have become vacant, depositing topsoil into the ocean and thereby damaging the reefs and the marine environment, as well as detrimentally affecting the health of nearby residents. Your Committee further finds that although the Department of Health's Clean Air Branch regulates the discharge of fugitive dust in the State and imposes penalties for violations, existing rules do not require land owners to have fugitive dust mitigation plans approved by the Director of Health and the existing penalty structure does not consider the scale of the dust emission. This measure requests the Department of Health to take various actions to prevent and address the detrimental effects of fugitive dust arising from vacant undeveloped land.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 217 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1565 (Majority) Health and Human Services on S.R. No. 155**

The purpose and intent of this measure is to urge the Department of Health to:

- (1) Amend its administrative rules, pursuant to Chapter 91, Hawaii Revised Statutes, to:
  - (A) Create an updated list of reasonable precautions that a landowner may take to prevent visible fugitive dust from the land from becoming airborne, particularly when the land is vacant and undeveloped;
  - (B) Specify the best practical operations or treatments an owner of vacant undeveloped land may take or implement to prevent visible fugitive dust that originates from the land from being discharged beyond the land's lot line;
  - (C) Require each owner of vacant, undeveloped land in the State to submit to the Department a fugitive dust mitigation plan for the owner's vacant undeveloped land, which shall be subject to approval by the Director of Health; and
  - (D) Impose appropriate penalties for violations of rules relating to fugitive dust;
- (2) Monitor fugitive dust across the State; and
- (3) Report its progress and any recommendations to the Legislature before the Regular Session of 2024.

Your Committee did not receive testimony on this measure.

Your Committee finds that in windy conditions, large dust storms can originate from former agricultural lands in the State that have become vacant, depositing topsoil into the ocean and thereby damaging the reefs and the marine environment, as well as detrimentally affecting the health of nearby residents. Your Committee further finds that although the Department of Health's Clean Air Branch regulates the discharge of fugitive dust in the State and imposes penalties for violations, existing rules do not require land owners to have fugitive dust mitigation plans approved by the Director of Health and the existing penalty structure does not consider the scale of



the dust emission. This measure requests the Department of Health to take various actions to prevent and address the detrimental effects of fugitive dust arising from vacant undeveloped land.

As affirmed by the record of votes of the members of your Committee on Health and Human Services 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, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1566 (Majority) Health and Human Services on S.C.R. No. 112**

The purpose and intent of this measure is to request the Hawaii State Center for Nursing to convene a working group to study the feasibility and impact of the State adopting the Nurse Licensure Compact.

Your Committee received testimony in support of this measure from the Healthcare Association of Hawaii, Hawaii Medical Service Association, The Queen's Health System, Kūpuna Caucus of the Democratic Party of Hawai'i, and Hawai'i Pacific Health. Your Committee received comments on this measure from the Board of Nursing, Hawai'i State Center for Nursing, and Grassroot Institute of Hawaii.

Your Committee finds that there is a statewide shortage of nurses. The Nurse Licensure Compact would enable nurses to practice in various jurisdictions without needing to obtain additional licensures and has the potential to increase the nursing workforce available to the State. While the Nurse Licensure Compact has the potential to alleviate the nurse shortage in the State, questions remain regarding the regulation of out-of-state nurses and the Compact's impact on the State's existing licensure infrastructure. Convening a working group to study the feasibility and implications of the State adopting the Nurse Licensure Compact would provide an opportunity to answer these questions and fully explore other concerns.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 112 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1567 (Majority) Health and Human Services on S.R. No. 118**

The purpose and intent of this measure is to request the Hawaii State Center for Nursing to convene a working group to study the feasibility and impact of the State adopting the Nurse Licensure Compact.

Your Committee received testimony in support of this measure from the Healthcare Association of Hawaii, Hawaii Medical Service Association, The Queen's Health System, Kūpuna Caucus of the Democratic Party of Hawai'i, and Hawai'i Pacific Health. Your Committee received comments on this measure from the Board of Nursing, Hawai'i State Center for Nursing, and Grassroot Institute of Hawaii.

Your Committee finds that there is a statewide shortage of nurses. The Nurse Licensure Compact would enable nurses to practice in various jurisdictions without needing to obtain additional licensures and has the potential to increase the nursing workforce available to the State. While the Nurse Licensure Compact has the potential to alleviate the nurse shortage in the State, questions remain regarding the regulation of out-of-state nurses and the Compact's impact on the State's existing licensure infrastructure. Convening a working group to study the feasibility and implications of the State adopting the Nurse Licensure Compact would provide an opportunity to answer these questions and fully explore other concerns.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 118 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1568 (Majority) Health and Human Services on S.C.R. No. 183**

The purpose and intent of this measure is to request the Department of Human Services to study providing certain health insurance coverage for all children and pregnant persons who would otherwise qualify for coverage if not for their immigration status.

Your Committee received testimony in support of this measure from the Hawaii Friends of Civil Rights, Hawai'i Children's Action Network Speaks!, Hawai'i Coalition for Immigrant Rights, and three individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that prenatal care is fundamental to reproductive and infant health and that health care services for children are critical to children's well-being and development. Despite the importance of health care, undocumented immigrants are unable to receive health insurance coverage through Medicaid and health exchanges established under part II of the federal Patient Protection and Affordable Care Act. Lack of access to affordable health care prevents many low-income undocumented immigrants from receiving routine and emergency medical care and leads to persistent inequities in the prevention, diagnosis, and treatment of health conditions for these individuals. Studying the State's capacity to expand access to health care coverage to all children and pregnant persons, regardless of immigration status, is therefore a critical first step to addressing health inequity in the State.

Your Committee has amended this measure by:

- (1) Requesting the Department of Human Services to submit a report on the study proposed by this measure to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024, rather than by October 31, 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 Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 183, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 183, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1569 (Majority) Health and Human Services on S.R. No. 177**

The purpose and intent of this measure is to request the Department of Human Services to study providing certain health insurance coverage for all children and pregnant persons who would otherwise qualify for coverage if not for their immigration status.

Your Committee received testimony in support of this measure from the Hawaii Friends of Civil Rights, Hawai'i Children's Action Network Speaks!, Hawai'i Coalition for Immigrant Rights, and three individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that prenatal care is fundamental to reproductive and infant health and that health care services for children are critical to children's well-being and development. Despite the importance of health care, undocumented immigrants are unable to receive health insurance coverage through Medicaid and health exchanges established under part II of the federal Patient Protection and Affordable Care Act. Lack of access to affordable health care prevents many low-income undocumented immigrants from receiving routine and emergency medical care and leads to persistent inequities in the prevention, diagnosis, and treatment of health conditions for these individuals. Studying the State's capacity to expand access to health care coverage to all children and pregnant persons, regardless of immigration status, is therefore a critical first step to addressing health inequity in the State.

Your Committee has amended this measure by:

- (1) Requesting the Department of Human Services to submit a report on the study proposed by this measure to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024, rather than by October 31, 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 Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 177, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 177, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1570 Health and Human Services on S.C.R. No. 132**

The purpose and intent of this measure is to request the Department of Human Services' Med-QUEST Division to:

- (1) Take steps necessary to ensure that adequate provider rates are established for applied behavioral analysis services;
- (2) Assess current reimbursement rates for applied behavior analysis services; and
- (3) Submit a report of its findings and recommendations on appropriate reimbursement rate increases, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Hawai'i Association for Behavior Analysis; Hawaii Disability Rights Center; BAYADA Behavioral Health; Behavior Analysis No Ka Oi, Inc.; Council of Autism Service Providers; and fifteen individuals. Your Committee received comments on this measure from the Department of Human Services and one individual.

Your Committee finds that applied behavior analysis is a medically necessary service provided for Med-QUEST beneficiaries under the age of twenty-one with an autism spectrum disorder diagnosis. Your Committee also finds that the Med-QUEST reimbursement rates for applied behavior analysis services have not been increased since their establishment in 2015, and the State's current reimbursement rate for applied behavior analysis services, particularly for registered behavior technicians, is below the current market rate. Behavioral health service providers in the State have struggled to meet the needs of QUEST beneficiaries due to the increased costs of operating a business. The low reimbursement rates and the high cost of living in the State also contribute to shortage in staff, resulting in significant delays for QUEST beneficiaries to access the needed services. This measure will allow behavioral health service providers to maintain their operations, pay livable wages to their staff, and create additional positions to sufficiently serve Med-QUEST beneficiaries.

As affirmed by the record of votes of the members of your Committee on Health and Human Services 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, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1571 Health and Human Services on S.R. No. 152**

The purpose and intent of this measure is to request the Department of Human Services' Med-QUEST Division to:

- (1) Take steps necessary to ensure that adequate provider rates are established for applied behavioral analysis services;
- (2) Assess current reimbursement rates for applied behavior analysis services; and
- (3) Submit a report of its findings and recommendations on appropriate reimbursement rate increases, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Hawai'i Association for Behavior Analysis; Hawaii Disability Rights Center; BAYADA Behavioral Health; Behavior Analysis No Ka Oi, Inc.; Council of Autism Service Providers; and fifteen individuals. Your Committee received comments on this measure from the Department of Human Services and one individual.

Your Committee finds that applied behavior analysis is a medically necessary service provided for Med-QUEST beneficiaries under the age of twenty-one with an autism spectrum disorder diagnosis. Your Committee also finds that the Med-QUEST reimbursement rates for applied behavior analysis services have not been increased since their establishment in 2015, and the State's current reimbursement rate for applied behavior analysis services, particularly for registered behavior technicians, is below the current market rate. Behavioral health service providers in the State have struggled to meet the needs of QUEST beneficiaries due to the increased costs of operating a business. The low reimbursement rates and the high cost of living in the State also contribute to shortage in staff, resulting in significant delays for QUEST beneficiaries to access the needed services. This measure will allow behavioral health service providers to maintain their operations, pay livable wages to their staff, and create additional positions to sufficiently serve Med-QUEST beneficiaries.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 152 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1572 Health and Human Services on S.C.R. No. 32**

The purpose and intent of this measure is to:

- (1) Request the Office of Language Access to convene an American Sign Language (ASL) Interpreter Workforce Working Group for the purpose of promoting the increase of ASL interpreters in the State; and
- (2) Request the working group to:
  - (A) Recommend training and incentives to increase the number of ASL interpreters in the State;
  - (B) Submit an interim report to the Legislature before the Regular Session of 2024 and a final report before Regular Session of 2026; and
  - (C) Dissolve on June 30, 2026.

Your Committee received testimony in support of this measure from the Department of Education, Disability and Communication Access Board, Hawaii Disability Rights Center, and one individual. Your Committee received comments on this measure from the Office of Language Access.

Your Committee finds that ASL interpreters provide a critical service to deaf, hard of hearing, deaf-blind, and hearing individuals and public agencies in the State who wish to effectively communicate with each other in a variety of settings and circumstances. Your Committee also finds that there is an insufficient number of qualified ASL interpreters to accommodate current needs in the State. This measure serves as an essential step to increase the number of qualified ASL interpreters in the State.

Your Committee acknowledges the concerns raised by the Office of Language Access regarding its lack of expertise in the area of ASL to chair the working group. Your Committee also acknowledges the testimony of the Disability and Communication Access Board suggesting that the Board is better situated to assume that role, as its functions include establishing administrative rules for the utilization of communication access services, including ASL interpreting, in State programs and activities and issuing Hawaii State Sign Language Interpreter Credentials to qualified interpreters.

Accordingly, your Committee has amended this measure by:

- (1) Requesting the Disability and Communication Access Board, rather than the Office of Language Access, to convene the American Sign Language Interpreter Workforce Working Group;
- (2) Requesting a representative from the Disability and Communication Access Board, rather than the Office of Language Access, to serve as chairperson of the working group;
- (3) Updating the list of certified copy recipients;
- (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 Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 32, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 32, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1573 Health and Human Services on S.R. No. 26**

The purpose and intent of this measure is to:

- (1) Request the Office of Language Access to convene an American Sign Language (ASL) Interpreter Workforce Working Group for the purpose of promoting the increase of ASL interpreters in the State; and
- (2) Request the working group to:

- (A) Recommend training and incentives to increase the number of ASL interpreters in the State;
- (B) Submit an interim report to the Legislature before the Regular Session of 2024 and a final report before Regular Session of 2026; and
- (C) Dissolve on June 30, 2026.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and two individuals. Your Committee received comments on this measure from the Office of Language Access.

Your Committee finds that ASL interpreters provide a critical service to deaf, hard of hearing, deaf-blind, and hearing individuals and public agencies in the State who wish to effectively communicate with each other in a variety of settings and circumstances. Your Committee also finds that there is an insufficient number of qualified ASL interpreters to accommodate current needs in the State. This measure serves as an essential step to increase the number of qualified ASL interpreters in the State.

Your Committee acknowledges the concerns raised by the Office of Language Access regarding its lack of expertise in the area of ASL to chair the working group. Your Committee also acknowledges the testimony of the Disability and Communication Access Board suggesting that the Board is better situated to assume that role, as its functions include establishing administrative rules for the utilization of communication access services, including ASL interpreting, in State programs and activities and issuing Hawaii State Sign Language Interpreter Credentials to qualified interpreters.

Accordingly, your Committee has amended this measure by:

- (1) Requesting the Disability and Communication Access Board, rather than the Office of Language Access, to convene the American Sign Language Interpreter Workforce Working Group;
- (2) Requesting a representative from the Disability and Communication Access Board, rather than the Office of Language Access, to serve as chairperson of the working group;
- (3) Updating the list of certified copy recipients;
- (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 Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 26, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 26, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1574 Health and Human Services on S.C.R. No. 6**

The purpose and intent of this measure is to request that the Med-QUEST Division of the Department of Human Services expand the types of qualified providers allowed to provide lactation consultant services for the Medicaid population in the State.

Your Committee received testimony in support of this measure from the Hawaii Medical Service Association, Hawai'i Maternal Infant Health Collaborative, Lactation Access Transforming Communities in Hawai'i, and four individuals. Your Committee received comments on this measure from the Department of Human Services, Academy of Lactation Policy and Practice, and Breastfeeding Hawaii.

Your Committee finds that breastfeeding provides numerous health benefits to both babies and mothers, and the Patient Protection and Affordable Care Act mandates that health insurance plans provide breastfeeding support, counseling, and equipment for the duration of breastfeeding. Despite this mandate, Hawaii's QUEST Integration Program does not reimburse all qualified, certified providers for lactation consultant services, reducing the number of providers available to individuals covered by Medicaid. To increase access to critical maternal health care, this measure requests that Hawaii's QUEST Integration Program expand the types of providers that qualify for Medicaid reimbursement in the State.

Your Committee has amended this measure by:

- (1) Inserting findings that recognize lactation consultants in the United States are often health care professionals who have obtained additional certification through the Academy of Lactation Policy and Practice's Certified Lactation Counselor Program;
- (2) Inserting findings specifying that the State's QUEST Integration Program does not allow qualified providers who have obtained Certified Lactation Counselor certification to provide lactation consultant services;
- (3) Requesting to include lactation consultants certified by the Certified Lactation Counselor Program as qualified providers allowed to provide lactation consultant services for the Medicaid population in the State; 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 and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 6, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 6, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1575 Health and Human Services on S.R. No. 4**

The purpose and intent of this measure is to request that the Med-QUEST Division of the Department of Human Services expand the types of qualified providers allowed to provide lactation consultant services for the Medicaid population in the State.

Your Committee received testimony in support of this measure from the Hawaii Medical Service Association, Hawai'i Maternal Infant Health Collaborative, Lactation Access Transforming Communities in Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Human Services and Academy of Lactation Policy and Practice.

Your Committee finds that breastfeeding provides numerous health benefits to both babies and mothers, and the Patient Protection and Affordable Care Act mandates that health insurance plans provide breastfeeding support, counseling, and equipment for the duration of breastfeeding. Despite this mandate, Hawaii's QUEST Integration Program does not reimburse all qualified, certified providers for lactation consultant services, reducing the number of providers available to individuals covered by Medicaid. To increase access to critical maternal health care, this measure requests that Hawaii's QUEST Integration Program expand the types of providers that qualify for Medicaid reimbursement in the State.

Your Committee has amended this measure by:

- (1) Inserting findings that recognize lactation consultants in the United States are often health care professionals who have obtained additional certification through the Academy of Lactation Policy and Practice's Certified Lactation Counselor Program;
- (2) Inserting findings specifying that the State's QUEST Integration Program does not allow qualified providers who have obtained Certified Lactation Counselor certification to provide lactation consultant services;
- (3) Requesting to include lactation consultants certified by the Certified Lactation Counselor Program as qualified providers allowed to provide lactation consultant services for the Medicaid population in the State; 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 and 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, 5. Noes, none. Excused, none.

**SCRep. 1576 Health and Human Services on S.C.R. No. 185**

The purpose and intent of this measure is to urge the Executive Office on Aging to develop a standard training workshop for kupuna and caregivers on how to select and purchase appropriate broadband connectivity equipment, audio-visual equipment such as tablets, and how to operate equipment to access telehealth services.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Broadband Hui. Your Committee received comments on this measure from the Executive Office on Aging and AARP Hawai'i.

Your Committee finds that the State faces a continued shortage of health care providers, making telehealth an important tool that enables individuals to access health care, particularly on the neighbor islands and in rural areas. Your Committee further finds that the coronavirus disease 2019 pandemic, while demonstrating the effectiveness of telehealth as a mode of essential health care delivery, also underscored the need for broadband infrastructure and digital equity programs to close the digital disparities gap among residents of the State, especially for kupuna and other marginalized communities who face limited broadband access or difficulty navigating the technological aspects of telehealth. This measure will assist the State's kupuna in achieving digital equity in health care by obtaining the necessary equipment and digital literacy to receive needed services through telehealth.

Your Committee has amended this measure by:

- (1) Urging the Executive Office on Aging to work in concert with the Hawaii Broadband and Digital Equity Office, Hawaii Broadband Hui, and AARP Hawai'i, to develop the standard training workshop for kupuna and caregivers pursuant to this measure;
- (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 Health and Human Services 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, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1577 Health and Human Services on S.R. No. 169**

The purpose and intent of this measure is to urge the Executive Office on Aging to develop a standard training workshop for kupuna and caregivers on how to select and purchase appropriate broadband connectivity equipment, audio-visual equipment such as tablets, and how to operate equipment to access telehealth services.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Broadband Hui; and one individual. Your Committee received comments on this measure from the Executive Office on Aging and AARP Hawai'i.

Your Committee finds that the State faces a continued shortage of health care providers, making telehealth an important tool that enables individuals to access health care, particularly on the neighbor islands and in rural areas. Your Committee further finds that the coronavirus disease 2019 pandemic, while demonstrating the effectiveness of telehealth as a mode of essential health care delivery, also underscored the need for broadband infrastructure and digital equity programs to close the digital disparities gap among residents of the State, especially for kupuna and other marginalized communities who face limited broadband access or difficulty navigating the technological aspects of telehealth. This measure will assist the State's kupuna in achieving digital equity in health care by obtaining the necessary equipment and digital literacy to receive needed services through telehealth.

Your Committee has amended this measure by:

- (1) Urging the Executive Office on Aging to work in concert with the Hawaii Broadband and Digital Equity Office, Hawaii Broadband Hui, and AARP Hawai'i, to develop the standard training workshop for kupuna and caregivers pursuant to this measure;
- (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 Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 169, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 169, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1578 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on S.C.R. No. 89**

The purpose and intent of this measure is to request the Department of Health and Department of Public Safety to work in collaboration to preserve the health and safety of special needs inmates and others in the State's jails and prisons.

Your Committees received testimony in support of this measure from the Department of Health and Hawaii Disability Rights Center. Your Committees received comments on this measure from the Department of Public Safety.

Your Committees find that the Department of Public Safety is statutorily required to provide mental health services to inmates in community correctional centers and to develop and make available gender-responsive, community-based programs for women offenders by providing them with the appropriate range of opportunities to ensure that their needs are met, including programs designed to provide substance abuse and mental health treatments. Your Committees further find that the Department of Health has expertise in identifying and addressing mental health and behavioral issues, including the provision of mental health education, treatment, and rehabilitation services. Your Committees believe that the line staff of the Department of Public Safety would benefit greatly from receiving training from the Department of Health on the subject of mental health and behavioral issues. This measure will preserve the health and safety of special needs inmates and others in the State's jails and prisons.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 89 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.  
Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).  
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1579 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on S.C.R. No. 107**

The purpose and intent of this measure is to urge the City and County of Honolulu's Crisis Outreach Response and Engagement Program to provide regular care and services to individuals experiencing homelessness in the central Oahu, North Shore, Leeward, and Windward regions of Oahu on a regular rotating schedule.

Your Committees received testimony in support of this measure from two individuals.

Your Committees find that the City and County of Honolulu established the Crisis Outreach Response and Engagement (CORE) Program in October 2021 to provide services to Oahu's unsheltered population. However, the CORE Program primarily focuses on Honolulu's urban core, stretching from Chinatown to Waikiki. Your Committees believe that expanding the reach of the CORE Program throughout Oahu may prove effective in supporting individuals experiencing homelessness and addressing resident's concerns about Oahu's homeless population. This measure benefits and improves outcomes for residents and unhoused persons on Oahu.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Health and Human Services 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.  
Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).  
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1580 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on S.R. No. 96**

The purpose and intent of this measure is to urge the City and County of Honolulu's Crisis Outreach Response and Engagement Program to provide regular care and services to individuals experiencing homelessness in the central Oahu, North Shore, Leeward, and Windward regions of Oahu on a regular rotating schedule.

Your Committees received testimony in support of this measure from one individual.

Your Committees find that the City and County of Honolulu established the Crisis Outreach Response and Engagement (CORE) Program in October 2021 to provide services to Oahu's unsheltered population. However, the CORE Program primarily focuses on Honolulu's urban core, stretching from Chinatown to Waikiki. Your Committees believe that expanding the reach of the CORE Program throughout Oahu may prove effective in supporting individuals experiencing homelessness and addressing resident's concerns about Oahu's homeless population. This measure benefits and improves outcomes for residents and unhoused persons on Oahu.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Health and Human Services 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.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1581 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on S.C.R. No. 226**

The purpose and intent of this measure is to urge the United States Indo-Pacific Command to more proactively combat violence against civilian women and children in Hawaii by making a zero-tolerance commitment, sharing gender-based violence prevalence data with the state government, and launching an anti-commercial sexual exploitation program across all Hawaii military installations.

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 Human Services.

Your Committees find that according to the Organization for Security and Co-operation in Europe Office of the Special Representative and Coordinator for Combating Trafficking in Human Beings, the United States military is consistently a substantial contributor to fueling sex trafficking and sexual exploitation through the practice of buying sex. Since 2018, the Hawaii State Commission on the Status of Women has been leading state government efforts to expose and address the connection between the military and sex trafficking in Hawaii. However, the Hawaii State Commission on the Status of Women does not have ready access to data critical to implementing sex trafficking prevention. Your Committees believe that the Hawaii State Commission on the Status of Women can assist in developing an anti-trafficking response that is gender transformative and victim-centered. This measure seeks to address and reduce sex buying, sex trafficking, child sexual abuse material consumption, and child sexual exploitations 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 Public Safety and Intergovernmental and Military Affairs and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 226, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 226, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1582 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on S.R. No. 164**

The purpose and intent of this measure is to urge the United States Indo-Pacific Command to more proactively combat violence against civilian women and children in Hawaii by making a zero-tolerance commitment, sharing gender-based violence prevalence data with the state government, and launching an anti-commercial sexual exploitation program across all Hawaii military installations.

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

Your Committees find that according to the Organization for Security and Co-operation in Europe Office of the Special Representative and Coordinator for Combating Trafficking in Human Beings, the United States military is consistently a substantial contributor to fueling sex trafficking and sexual exploitation through the practice of buying sex. Since 2018, the Hawaii State Commission on the Status of Women has been leading state government efforts to expose and address the connection between the military and sex trafficking in Hawaii. However, the Hawaii State Commission on the Status of Women does not have ready access to data critical to implementing sex trafficking prevention. Your Committees believe that the Hawaii State Commission on the Status of Women can assist in developing an anti-trafficking response that is gender transformative and victim-centered. This measure seeks to address and reduce sex buying, sex trafficking, child sexual abuse material consumption, and child sexual exploitations 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 Public Safety and Intergovernmental and Military Affairs and Health and Human Services 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.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1583      Judiciary on H.B. No. 161**

The purpose and intent of this measure is to establish that the representative of labor on the Hawaii Labor Relations Board be a person selected by a majority of the exclusive representatives of the collective bargaining units.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers; Hawaii State Teachers Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawaii Fire Fighters Association.

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; 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 the State, 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. 161, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1584      Judiciary on H.B. No. 350**

The purpose and intent of this measure is to establish that the exemption from mandatory reporting by members of the clergy does not apply when the clergy member believes that there exists a substantial risk that child abuse or neglect that is especially heinous, atrocious, or cruel, manifesting exceptional depravity, may occur in the reasonably foreseeable future.

Your Committee received testimony in support of this measure from the Department of Human Services; Stonewall Caucus of the Democratic Party of Hawaii; Rainbow Family 808.com, Inc.; and four individuals.

Your Committee finds that there is a danger in exempting members of the clergy from mandatory reporting of suspected child abuse or neglect. Additionally, your Committee recognizes the significance of confidentiality in penitential communication but believes that the safety and well-being of the State's children is also of utmost importance. Furthermore, your Committee understands that details of extreme child abuse or neglect revealed in penitential communication may result in these cases never being reported to the appropriate authorities. Therefore, your Committee acknowledges the need to specify that the exemption of mandatory reporting by members of the clergy does not apply when the clergy member believes that there exists an extreme case of child abuse or neglect.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 350, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1585      (Majority) Judiciary on H.B. No. 364**

The purpose and intent of this measure is to clarify that when trespass involves public land, all state and county law enforcement officers may enforce trespass laws, without regard to whether the land is owned by the State or by a county.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that jurisdictional uncertainties have limited cooperation between county and state law enforcement officers to effectively remove trespassers from public property. This uncertainty can lead to damage to public land and harm to those who use it. This measure will make it clear that either state or county law enforcement can enforce trespass laws regardless of which governmental entity owns or controls a parcel of public land, which will ensure that the public can enjoy public land safely.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 364, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1586      Judiciary on H.B. No. 823**

The purpose and intent of this measure is to:

- (1) Expand the scope of reports on correctional facility and community correctional center deaths that are submitted to the Governor and Legislature;



- (2) Require certain reports to be published on the Department of Corrections and Rehabilitation website; and
- (3) Mandate public access to other information reported.

Your Committee received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Community Alliance on Prisons, Civil Beat Law Center for the Public Interest, ACLU of Hawai'i, Opportunity Youth Action Hawai'i, and three individuals. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that the occurrence of death is an unfortunate reality in jails and prisons. Responsible reporting of deaths is essential to ensure accurate communication of information to the public for purposes of transparency and trust. This measure will broaden the process for the public disclosure of deaths of incarcerated 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. 823, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1587      Judiciary on H.B. No. 834**

The purpose and intent of this measure is to recognize American Sign Language as a fully developed, autonomous, natural language with its own grammar, syntax, vocabulary, and cultural heritage.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Parent Community Network for the Hearing Parents of Deaf Children at the Hawaii School for the Deaf and the Blind, and eleven individuals.

Your Committee finds that American Sign Language (ASL) is not just a translation of spoken English, but a fully developed, autonomous, natural language with its own grammar, syntax, vocabulary, and cultural heritage. Your Committee further finds that by recognizing ASL as a distinct language, the State can help promote a more inclusive society, acknowledge the deaf community's right to access services and information in a language they understand, increase public awareness, and acknowledge the deaf community as a linguistic minority with its own history, culture, and traditions. Your Committee notes that at least a dozen states have already enacted laws that recognize ASL as its own distinct language, with many other states recognizing ASL in varying degrees. Therefore, this measure calls upon the State to formally recognize ASL as its own distinct 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 H.B. No. 834, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1588      Judiciary on H.B. No. 1035**

The purpose and intent of this measure is to establish protections for critical infrastructure information that is received or maintained by the Office of Homeland Security for use regarding the security of critical infrastructure.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, Department of Defense, Department of the Attorney General, Hawaii State Energy Office, Honolulu Board of Water Supply, Hawaiian Electric, 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 Information Practices.

Your Committee finds that in order to succeed in the legislated responsibilities of the State regarding protection of critical infrastructure under chapter 128A, Hawaii Revised Statutes, it is necessary to establish protections for critical infrastructure information. Proper protection of critical infrastructure information and its confidentiality is essential to enhance the sharing of this information between infrastructure owners and operators and the state government, and to ensure the protection, security, and resiliency of the State. This measure will protect critical infrastructure information from public disclosure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1035, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1589      Ways and Means on H.B. No. 951**

The purpose and intent of this measure is to alleviate the State's shortage of rental housing by promoting the development of affordable rental housing projects.

More specifically, the measure appropriates funds from the rental housing revolving fund to the Hawaii Housing Finance and Development Corporation to provide loans or grants for rental housing projects; provided that up to an unspecified amount of the appropriation may be used for mixed-income rental projects.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation, Catholic Charities Hawaii, Partners In Care, Housing Hawaii's Future, Hawaii REALTORS, Highridge Costa Development Company, EAH Housing, and HOPE Services Hawaii.

Your Committee finds that the funding provided by this measure will address the ongoing need to provide lower-income individuals and families in the State with relief from rising rental housing 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 H.B. No. 951, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1590 Ways and Means on H.B. No. 1255**

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds, guaranteed by the County of Maui, to assist West Maui Hospital Foundation, Inc., in the construction of West Maui Hospital and Medical Center, and the improvement of any necessary infrastructure.

Your Committee received written comments in support of this measure from the Maui County Council, Maui Hotel and Lodging Association, Maui Chamber of Commerce, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance; Office of the Mayor for the County of Maui; and West Maui Hospital Foundation, Inc.

Your Committee finds that the construction of a hospital and acute care center in West Maui will improve access to healthcare for medically underserved communities and create jobs. The special purpose revenue bonds authorized by this measure will provide the financial support necessary to pursue the hospital's 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 H.B. No. 1255, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13; Ayes with Reservations (Keith-Agaran). Noes, none. Excused, none.

**SCRep. 1591 Ways and Means on H.B. No. 1356**

The purpose and intent of this measure is to provide financial assistance to state-licensed care homes that experienced negative economic impacts due to the coronavirus disease 2019 (COVID-19) pandemic.

More specifically, the measure appropriates funds to the Department of Human Services to provide enhanced payments to providers of state-licensed adult residential care homes and developmental disabilities domiciliary homes that are caring for residents receiving Medicaid benefits, to assist with COVID-19-related costs and lost revenues, provided that the maximum amount of federal matching funds is obtained by the applicable state agency.

Your Committee received written comments in support of this measure from the State Council on Developmental Disabilities, ILWU Local 1000, and one individual.

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

Your Committee finds that this measure will provide a degree of financial relief to care home providers and thus improve their economic outlook and ability to continue operating.

As affirmed by the record of votes of the members 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. 1356, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1592 Ways and Means on H.B. No. 674**

The purpose and intent of this measure is to repeal the percentage requirements related to the Hawaii Public Housing Authority's admission of applicants, with or without preferences, into federal and state low-income public housing units.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority.

Your Committee finds that removing the percentage requirements for admitting applicants to public housing units will allow the Hawaii Public Housing Authority to conduct its admissions process more fairly, based on the State's current needs and the availability of funds.

As affirmed by the record of votes of the members 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. 674, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1593 Ways and Means on H.B. No. 848**

The purpose and intent of this measure is to appropriate moneys to the University of Hawaii for the establishment of three full-time equivalent (3.0 FTE) positions to support the Hawaii Institute of Marine Biology.

Your Committee received written comments in support of this measure from the University of Hawaii and numerous individuals.

Your Committee finds that establishing support positions for the Hawaii Institute of Marine Biology is necessary for maintaining the institute's research productivity.

As affirmed by the record of votes of the members 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. 848, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1594 Ways and Means on H.B. No. 948**

The purpose and intent of this measure is to establish, and appropriate moneys for, a child and adolescent crisis mobile outreach team pilot program to expand and support existing crisis response services and programs for at-risk youths.

Your Committee received written comments in support of this measure from the Child and Adolescent Mental Health Division of the State Department of Health, Catholic Charities Hawaii, Hawaii Substance Abuse Coalition, Opportunity Youth Action Hawaii, Parents and Children Together, Rainbow Family 808, and three individuals.

Your Committee finds that supporting the State's crisis response services and programs for at-risk youths will help to reduce the number of youths who are incarcerated or hospitalized due to mental health crises.

Your Committee has amended this measure by:

- (1) Clarifying the scope of the child and adolescent crisis mobile outreach team pilot program; 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. 948, 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. 948, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1595 Ways and Means on H.B. No. 1409**

The purpose and intent of this measure is to enhance family leave protections.

Specifically, the measure:

- (1) Extends, under certain conditions, the family leave period for up to eight weeks for employees who are unable to perform their employment duties due to the birth of a child who is required to stay in a neonatal intensive care unit; and
- (2) Requires the amendment of certain administrative rules to ensure that neonatal care is included as a "related medical condition" wherever the phrase "pregnancy, childbirth, or related medical condition" is used.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, Hawaii Children's Action Network Speaks!, and three individuals.

Your Committee finds that babies born prematurely need extended time in neonatal intensive care units (NICU). Accordingly, your Committee also finds that extending the family leave period for parents of those babies, as proposed by this measure, will allow those parents to spend additional time at the NICU to support the babies' care.

Your Committee has amended this measure by:

- (1) Correcting the text of section 398-4, Hawaii Revised Statutes, to accurately reflect the printed version of the statute; and
- (2) Clarifying that it is the administrative rules of the Civil Rights Commission, rather than the Department of Health, that must be amended to ensure that neonatal care is included as a "related medical condition" wherever the phrase "pregnancy, childbirth, or related medical condition" or any similar phrase is used.

As affirmed by the record of votes of the members 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. 1409, 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. 1409, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1596 Ways and Means on H.B. No. 40**

The purpose and intent of this measure is to dispose of excess general fund revenues, as required by article VII, section 6, of the Hawaii State Constitution.

Specifically, this measure:

- (1) Provides for an income tax credit to every resident individual taxpayer of the State;
- (2) Deposits an unspecified sum into the emergency and budget reserve fund; and
- (3) Deposits an unspecified sum into the other post-employment benefits trust fund.

Your Committee received written comments in support of this measure from the Department of Budget and Finance.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that when the balance of the State's general fund at the close of each of two successive fiscal years has exceeded five percent of the general fund revenues for both fiscal years, article VII, section 6, of the Hawaii State Constitution requires the Legislature to:

- (1) Provide for a tax refund or tax credit to the taxpayers of the State;
- (2) Make a deposit into one or more funds, which shall serve as temporary supplemental sources of funding for the State in times of an emergency, economic downturn, or unforeseen reduction in revenue; or
- (3) Appropriate general funds for the pre-payment of:
  - (A) Debt service of general obligation bonds issued by the State; or
  - (B) Pension or other post-employment benefit liabilities accrued for state employees.

Your Committee further finds that the required conditions have been met, and that this measure provides a vehicle for the Legislature to implement one or more of the constitutionally mandated options.

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 H.B. No. 40, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 40, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1597 Ways and Means on H.B. No. 313**

The purpose and intent of this measure is to establish and appropriate moneys for a Foreign Agriculture Small Equipment Pilot Program at a University of Hawaii community college, to be selected by the University of Hawaii, and administered by the Department of Agriculture, in collaboration with the University of Hawaii.

Your Committee received written comments in support of this measure from the Land Use Research Foundation of Hawaii, Waimanalo Agricultural Association, Island Foodscaping, Ulupono Initiative, Maui County Farm Bureau, Hawaii Farm Bureau, Hawaii Cattlemen's Council, Hawaii Crop Improvement Association, and five individuals.

Your Committee received written comments on this measure from the Department of Agriculture.

Your Committee finds that many countries have agricultural equipment that would benefit the State's farmers and ranchers but that is not yet compliant with Environmental Protection Agency emission standards. The pilot program established by this measure will help support agricultural production and food security in the State by assisting the State's ranchers and farmers in identifying, purchasing, importing, and modifying for environmental compliance, foreign agriculture small equipment.

Your Committee has amended this measure by:

- (1) Clarifying that facilitating the importation of foreign agriculture small equipment is a matter of statewide concern; 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. 313, 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. 313, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1598 Ways and Means on H.B. No. 617**

The purpose and intent of this measure is to establish an oral health task force to help improve oral health in the State.

More specifically, this measure:

- (1) Establishes an oral health task force to, among other things, review certain information and data relating to oral health and make recommendations to state and county policymakers;
- (2) Requires the oral health task force to submit reports to the Legislature; and
- (3) Appropriates moneys for the Family Health Services Division of the Department of Health to oversee a contract to hire a consultant to facilitate the work of the oral health task force.

Your Committee received written comments in support of this measure from the Department of Human Services, State Council on Developmental Disabilities, AlohaCare, Hawaii Children's Action Network Speaks!, Hawaii Disability Rights Center, Hawaii Public Health Institute's Hawaii Oral Health Coalition, Papa Ola Lokahi, Waimanalo Health Center, and numerous individuals.

Your Committee received written comments on this measure from the Department of Health, University of Hawaii, and Hawaii Dental Association.

Your Committee finds that establishing an oral health task force will be vital for identifying the elements and resources needed to rebuild the Department of Health's public health dental program, improve overall oral health in the State, and reduce inequalities in oral health.

Your Committee has amended this measure by:

- (1) Clarifying that the oral health task force is to be placed within the Family Health Services Division of the Department of Health for administrative purposes;
- (2) Including as invited members of the oral health task force one dentist from each county;
- (3) Authorizing the Family Health Services Division of the Department of Health to contract for the services of a consultant to facilitate the work of the oral health task force;
- (4) Changing the effective date of the appropriations to July 1, 2051, and the effective date of the remaining provisions of this measure 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 H.B. No. 617, 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. 617, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1599      Judiciary on H.B. No. 365**

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, Department of Planning and Permitting of the City and County of Honolulu, Office of the Mayor of the County of Maui, one member of the Maui County Council, and Land Use Research Foundation of Hawaii.

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 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. 365, 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. 365, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1600      (Majority) Judiciary on H.B. No. 485**

The purpose and intent of this measure is to require the Department of Health to issue, upon receipt of required supporting documentation, new marriage certificates to individuals who have changed their gender, sex, and, if applicable, name.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Rainbow Family 808.com Inc., American Civil Liberties Union of Hawai'i, North Shore Ko'olau Diversity Collective, Stonewall Caucus of the Democratic Party of Hawai'i, Planned Parenthood Alliance Advocates, and twenty individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that although the State has established laws and policies that allow individuals who undergo a legal name and gender change to update their birth certificates and driver's licenses, there is no mechanism to allow these individuals to update their marriage certificates. A marriage certificate is a necessary record to travel internationally, share health or other insurance benefits with a spouse, apply for a loan or mortgage, file taxes, arrange property succession or retirement benefits to a spouse, and modify physical and legal custody orders. This measure seeks to address the inconsistency between the processes for these vital legal documents. Your Committee notes the recommendation from the Department of Health to insert an effective date of January 1, 2024, to provide time for the Department to create new marriage certificate templates that are not only tamper-proof and counterfeit-resistant, but also accommodate amendments to marriages prior to 1991, as declared middle names were not an option available on the marriage certificate forms prior to 1991.

Accordingly, your Committee has amended this measure by inserting an effective date of January 1, 2024.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 485, 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. 485, H.D. 3, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1601      Judiciary on H.B. No. 580**

The purpose and intent of this measure is to:

- (1) Expand the victim-counselor privilege under the Hawaii Rules of Evidence to include confidential advocates employed by the University of Hawaii; and
- (2) Increase the minimum number of hours of training a domestic violence victims' counselor must complete to be considered a victim counselor.

Your Committee received testimony in support of this measure from Imua Alliance, Every Voice Coalition Hawai'i, Women's Caucus of the Democratic Party of Hawai'i, Education Caucus of the Democratic Party of Hawai'i, Sex Abuse Treatment Center, Hawai'i State Coalition Against Domestic Violence, Academic Labor United, American Association of University Women of Hawaii, and sixteen individuals.

Your Committee finds that there is no mechanism that guarantees confidentiality to students and employees who seek confidential advocacy support within the University of Hawaii System as a result of sexual harassment, sexual assault, domestic violence, and stalking. This measure not only ensures that the confidential advocates employed by the University of Hawaii provide confidentiality protections to students and employees who seek the counseling services of these campus-based advocates, but also better prepares domestic violence victims' counselors in the State to work with survivors of domestic violence in a trauma-informed and survivor-centered manner.

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. 580, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 580, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1602      (Majority) Ways and Means on H.B. No. 307**

The purpose and intent of this measure is to encourage the continued productive use of state agricultural lands.

Specifically, this measure authorizes 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 having a population of less than five hundred thousand.

Your Committee received written comments in support of this measure from the Department of Agriculture, Land Use Research Foundation of Hawaii, Hawaii Floriculture and Nursery Association, Hawaii Farm Bureau, Local Food Coalition, Hawaii Crop Improvement Association, Maui County Farm Bureau, Hawaii Cattlemen's Council, Pacific Floral Exchange, Panaewa Foliage, Ahiki Acres, and eleven individuals.

Your Committee received written comments on this measure from the Office of Hawaiian Affairs and one individual.

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 H.B. No. 307, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 307, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, 1 (Fevella). Excused, 1 (Shimabukuro).

**SCRep. 1603      Ways and Means on H.B. No. 308**

The purpose and intent of this measure is to increase sustainability within Hawaii's food systems.

Specifically, this measure:

- (1) Establishes a Sustainable Food Systems Working Group to develop an interagency food systems plan; and
- (2) Appropriates moneys to the Sustainable Food Systems Working Group.

Your Committee received written comments in support of this measure from the University of Hawaii, Office of Hawaiian Affairs, Hawaii Tourism Authority, Chamber of Sustainable Commerce, Good Food Movement, 'Ai Pohaku--The Stone Eaters, Hawaii Alliance for Progressive Action, Hawaii Farm Bureau, Ulupono Initiative, Climate Protectors Hawaii, Hawaii Cattlemen's Council, Hawaii Farmers Union United, Wild Kids, Hawaii Food Industry Association, and sixteen individuals.

Your Committee received written comments on this measure from the Department of Agriculture and Department of Health.

Your Committee finds that the development of a sustainable food system will provide Hawaii residents with equitable access to nutritional food that is produced with minimal impact on the environment while also increasing the vitality of the State's food and agricultural sector.

Your Committee has amended this measure by:

- (1) Clarifying that the working group is responsible for developing an interagency food systems plan that includes a governance structure and implementation plan;

- (2) Clarifying that the member of the Sustainable Food Systems Working Group representing the Hawaii Farmers Union United shall be selected by that entity's president; 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. 308, 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. 308, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 1604 Ways and Means on H.B. No. 606**

The purpose and intent of this measure is to require the interagency development of and appropriation of moneys for the implementation of a plan to expand meat processing capacity in the State to allow for meat from axis deer and other wild game to be processed for distribution by nonprofit food distribution services.

Your Committee received written comments in support of this measure from the Department of Agriculture, Mayor of the County of Maui, Hawaii Forest Industry Association, Maui County Farm Bureau, Hawaii Farm Bureau, Hawaii Farmers Union United, Hawaii Cattlemen's Council, Maui Chamber of Commerce, and six individuals.

Your Committee received written comments on this measure from the Department of Human Services and CountryTalkStory.com.

Your Committee finds that axis deer are an invasive species that pose a continuing threat to Hawaii's environment. However, your Committee recognizes that axis deer could provide significant quantities of meat as a protein source for nonprofit food distribution services. Accordingly, your Committee finds that an effort to expand the State's meat processing capacity, as proposed by this measure, is a necessary step in making more wild game meat available to the public.

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. 606, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 606, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1605 Ways and Means on H.B. No. 607**

The purpose and intent of this measure is to facilitate food production in the State.

Specifically, this measure establishes an income tax credit for transportation costs incurred by certain taxpayers who ship produce and agricultural goods between counties.

Your Committee received written comments in support of this measure from Good Food Movement; Green Islands Acres LLC; Hawaii Cattlemen's Council; Hawaii Food Industry Association; Kanalani Ohana Farm; Maui Chamber of Commerce; Naike LLC; Ulupono Initiative; Wakefield and Sons, Inc.; and twenty-three individuals.

Your Committee received written comments on this measure from the Department of Taxation, Hawaii Alliance for Progressive Action, Hawaii Farm Bureau, Hawaii Farmers Union United, Tax Foundation of Hawaii, and one individual.

Your Committee finds that the high cost of interisland transportation impedes market access of food producers in Hawaii. Your Committee notes that the United States Department of Agriculture administers a reimbursement transportation cost payment program for geographically disadvantaged farmers and ranchers, including farmers and ranchers in Hawaii and the Pacific, which helps to offset a portion of the cost of transporting and producing agricultural products. Your Committee believes that providing a similar state incentive will reduce farming costs and facilitate an increase in local food production.

Your Committee has amended this measure by:

- (1) Replacing the term "producer" with "qualified taxpayer;"
- (2) Clarifying the costs that may be used to claim the tax credit;
- (3) Providing that the Department of Agriculture shall certify the amount of the tax credit that may be claimed by a taxpayer;
- (4) Clarifying the administration of the aggregate cap amount of the tax credit;
- (5) Deleting language inapplicable to nonrefundable income tax credits;
- (6) Clarifying that a taxpayer must be located in the State in order to qualify for the tax credit;
- (7) Specifying that the measure shall apply to taxable years beginning after December 31, 2023; 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 H.B. No. 607, 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. 607, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 1606 Ways and Means on H.B. No. 694**

The purpose and intent of this measure is to support the State's aquaculture industry.

Specifically, this measure appropriates moneys to support the Aquaculture Disease Diagnostic Laboratory of the Department of Agriculture, in partnership with the University of Hawaii College of Tropical Agriculture and Human Resources.

Your Committee received written comments in support of this measure from the Department of Agriculture; University of Hawaii; Hawaii Farm Bureau; Local Food Coalition; Pacific Hybreed, Inc.; Hawaii Aquaculture and Aquaponics Association; and two individuals.

Your Committee finds that the aquaculture industry is one of the fastest-growing segments of the State's agricultural sector and has become an important source of seafood and other products for local sale and export. Your Committee further finds that the funds appropriated by this measure will provide essential support to this growing industry.

Your Committee has amended this measure by:

- (1) Correcting the name of the College of Tropical Agriculture and Human Resources; and
- (2) Clarifying that the two full-time equivalent (2.0 FTE) microbiologist III positions are permanent 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 H.B. No. 694, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 694, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1607 Ways and Means on H.B. No. 971**

The purpose and intent of this measure is to establish and appropriate moneys into and out of an agricultural emergency loan revolving fund, to be administered by the Department of Agriculture, to fund Class "D" loans.

Your Committee received written comments in support of this measure from the Department of Agriculture, Ulupono Initiative, Hawaii Farm Bureau, Hawaii Cattlemen's Council, and one individual.

Your Committee recognizes that ranches and farms within the State have suffered from the impacts of various natural and economic disasters. Your Committee finds that a dedicated source of emergency funding, as proposed by this measure, will strengthen the Department of Agriculture's ability to offer financial assistance to these agricultural operations.

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. 971, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 971, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1608 Ways and Means on H.B. No. 972**

The purpose and intent of this measure is to support the Division of Animal Industry of the Department of Agriculture.

Specifically, this measure:

- (1) Provides that revenue from the Animal Industry Division Veterinary Laboratory and Animal Disease Control Branch shall be deposited into the animal industry special fund; and
- (2) Authorizes animal industry special fund moneys to be expended on improvements to the Division of Animal Industry's laboratory capabilities and operations.

Your Committee received written comments in support of this measure from the Department of Agriculture; Hawaii Farm Bureau; Hawaii Cattlemen's Council; Hawaii Aquaculture and Aquaponics Association; Pacific Hybreed, Inc.; and one individual.

Your Committee finds that the rental of Animal Industry Division property or facilities has been a major source of revenue for the animal industry special fund. However, the proposed relocation of the Oahu Community Correctional Center to the Animal Quarantine Station in Halawa will eliminate this funding mechanism. Accordingly, your Committee finds that this measure is necessary to provide additional revenue sources for the animal industry special fund.

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. 972, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 972, H.D. 1, S.D. 1.



Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1609 Ways and Means on H.B. No. 1033**

The purpose and intent of this measure is to add to the membership of the State Building Code Council a representative of the Hawaii Emergency Management Agency, to be appointed by that agency's director.

Your Committee received written comments in support of this measure from the Department of Defense, Hawaii State Energy Office, and Hawaii Emergency Management Agency.

Your Committee received written comments on this measure from the Building Industry Association of Hawaii.

Your Committee recognizes that the State's building code varies among the several counties and that none of the counties meet current national standards. Your Committee finds that including an emergency management representative among the members of the State Building Code Council will provide the Council with appropriate expertise to help update building codes.

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. 1033, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1033, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1610 Judiciary on H.B. No. 1344**

The purpose and intent of this measure is to require certain criminal offenders to be ordered by a court to complete an assessment and either a domestic violence intervention or anger management course as part of their sentence.

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, Domestic Violence Action Center, Hawai'i State Coalition Against Domestic Violence, Parents and Children Together, and five individuals.

Your Committee finds that existing law is indiscriminate and mandates that all offenders convicted of violating a temporary restraining order or protective order, and all offenders receiving a deferral on an abuse of a family or household member charge, be ordered into domestic violence intervention, regardless of the status of the relationship with the victim in the case. This means that offenders in non-intimate relationships with the victim must go through domestic violence intervention. For individuals who are not in intimate relationships with the victims in their cases, the domestic violence intervention curriculum can be challenging to relate to. This measure will allow offenders in non-intimate relationships with their victims to be diverted to anger management courses, which will provide more appropriate services to those offenders.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1344, H.D. 2, 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 (Gabbard).

**SCRep. 1611 Judiciary on H.B. No. 126**

The purpose and intent of this measure is to increase the penalties for bribery offenses under certain circumstances.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Campaign Spending Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Honolulu Police Department, and three individuals.

Your Committee finds that public servants are in positions of public trust. Therefore, deterrence of bribery and corruption of public servants should be a high priority. This measure will increase the penalties for bribery offenses by public servants, which will provide law enforcement with tools to adequately deter and commensurately punish public corruption.

Your Committee has amended this measure by:

- (1) Adding legislative findings;
- (2) Deleting language that would have increased the penalty for bribery offenses to a class A penalty if:
  - (A) The public servant is an elected or appointed official;
  - (B) The value, or aggregate value, of the pecuniary benefit in the commission of the offense exceeds \$20,000; or
  - (C) The person commits three or more acts of bribery in a three-year period;
- (3) Adding language that specifies that a person convicted of violating section 710-1040, Hawaii Revised Statutes, shall be sentenced to pay a fine of up to \$250,000, in addition to a sentence of imprisonment or probation;
- (4) Specifying that a person charged for bribery under section 710-1040, Hawaii Revised Statutes, shall not be eligible for a deferred acceptance of guilty plea or nolo contendere plea;

- (5) Adding language that requires the Commission on Salaries to consider certain factors to retain qualified individuals and deter corruption and bribery;
- (6) Adding language that amends the effective dates of recommended salary increases; 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. 126, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 126, 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, none. Excused, 1 (Gabbard).

**SCRep. 1612      Judiciary on H.B. No. 707**

The purpose and intent of this measure is to:

- (1) Establish that it is a class C felony to make false, fictitious, or fraudulent claims against the State or a county, or any of their departments or agencies; and
- (2) Disqualify a person convicted of making a false, fictitious, or fraudulent claim from receiving public financing for elections for a period of ten years.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Commission to Improve Standards of Conduct, and three individuals.

Your Committee finds that given several scandals that have shaken the public's trust in Hawai'i's state and local government, state laws should be amended to reflect and address the egregious nature of certain offenses, such as false claims, that further betray the public's trust or manipulate the system to one's own benefit. While federal prosecutors have largely taken the lead in prosecuting incidents of state and local government misconduct, this is largely due to the greater effectiveness and severity of federal laws on the matter. This measure will better equip state and county prosecutors with the tools to prosecute this type of corruption.

Your Committee has amended this measure by:

- (1) Replacing language specifying certain government agencies with the term "government" and adding a definition of "government" to have the same meaning as section 710-1000, Hawaii Revised Statutes;
- (2) Deleting language that would have specified that application of the new section regarding false, fictitious, or fraudulent claims against the government shall be based on title 18 United States Code section 287 and any relevant federal case law and precedent;
- (3) Deleting superfluous language stating that a person charged with the offense of making a false, fictitious, or fraudulent claim is eligible for a deferred acceptance of guilty plea or nolo contendere plea;
- (4) Changing the penalty for any person convicted under the new section regarding false, fictitious, or fraudulent claims against the government from being disqualified from receiving public financing under part XIII, subpart J of chapter 11, Hawaii Revised Statutes, for a period of ten years from the date of conviction to instead being disqualified from holding elected office for five years from the date of conviction;
- (5) Amending section 1 to reflect its amended purpose;
- (6) Inserting an effective date of March 22, 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 H.B. No. 707, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 707, 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, none. Excused, 1 (Awa).

**SCRep. 1613      Judiciary on H.B. No. 711**

The purpose and intent of this measure is to:

- (1) Establish the offense of fraud as a class B felony; and
- (2) Disqualify a person charged with fraud from receiving public financing for elections for a period of ten years.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Department of the Attorney General, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Commission to Improve Standards of Conduct, and three individuals.

Your Committee finds that a new criminal statute to prohibit a person from executing, or attempting to execute, a scheme or artifice to defraud another person or to obtain money or property by means of false or fraudulent pretenses, representations, or promises, is necessary. This statute is based on 18 United States Code sections 1341, 1343, 1344, and 1346, regarding mail fraud, wire fraud, and bank fraud, and is intended to criminalize conduct that is currently punishable at the federal level but not at the state or local level.

Your Committee further finds that existing law grades theft offenses based on specific monetary thresholds. In many situations, however, it is challenging for law enforcement to determine the specific value of property stolen by an offender using a fraudulent scheme. As a result, there are substantial barriers in charging some known offenders with felony offenses. This measure would enable law enforcement to prosecute fraud without requiring the prosecution to prove a specific amount stolen.

Your Committee has amended this measure by:

- (1) Deleting language that would have specified that application of the new section regarding fraud shall be based on title 18 United States Code section 287 and any relevant federal case law and precedent;
- (2) Deleting superfluous language stating that a person charged with the offense of fraud is eligible for a deferred acceptance of guilty plea or nolo contendere plea;
- (3) Changing the penalty for any person convicted under the new section regarding fraud from being disqualified from receiving public financing under part XIII, subpart J of chapter 11, Hawaii Revised Statutes, for a period of ten years from the date of conviction to instead being disqualified from holding elected office for ten years from the date of conviction;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Inserting an effective date of March 22, 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 H.B. No. 711, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 711, 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, none.

**SCRep. 1614      Judiciary on H.B. No. 986**

The purpose and intent of this measure is to establish the class C felony offense of official misconduct to prohibit a person, in the person's official capacity, from acting or refraining from performing an official duty with the intent to obtain a benefit other than the person's lawful compensation, or submitting or inviting reliance on any false statement, document, or record.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Commission to Improve Standards of Conduct, Honolulu Police Department, and two individuals.

Your Committee finds that the existing bribery statute, section 710-1040, Hawaii Revised Statutes, only prohibits conduct involving monetary interests. However, public corruption can take many forms beyond mere economic gains, including illegal lobbying, bribery, sexual favors, favorable school placements for children, and anything that violates the public trust for personal gain. This measure will provide a mechanism to increase the public's trust and confidence in the state and local government while providing law enforcement with a tool to adequately deter and commensurately punish public corruption.

Your Committee has amended this measure by:

- (1) Specifying that a public servant commits the offense of official misconduct when, in the person's official capacity, the person with intent to obtain a benefit other than the person's lawful compensation, intentionally or knowingly refrains from performing an official duty that is imposed upon the person by law or is clearly inherent in the nature of the person's office;
- (2) Defining "an official duty that is imposed upon the person by law or is clearly inherent in the nature of the person's office", as one or more unspecified duties that are so essential to the accomplishment of the purposes for which the office was created that it is clearly inherent in the nature of the office;
- (3) Deleting language that would have provided that the offense of official misconduct shall not apply to any statement made, action taken, or inaction by a member of the Legislature in the exercise of the member's legislative functions pursuant to article III, section 7, of the Hawaii State Constitution; 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. 986, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 986, 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 (San Buenaventura). Noes, none. Excused, none.

**SCRep. 1615      Judiciary on H.B. No. 1294**

The purpose and intent of this measure is to require every candidate for public office in Hawai'i to use their legal name for election purposes.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii and one individual.

Your Committee finds that some candidates for public office are commonly known by a nickname or something other than their legal name. However, the use of nicknames or other names can cause confusion over the identity of the candidate. This measure will require candidates to use their legal name, which will help eliminate any confusion and standardize the election process.

Your Committee has amended this measure by inserting an effective date of March 22, 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. 1294, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1294, 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; Ayes with Reservations (Gabbard). Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1616 Judiciary on H.B. No. 1502**

The purpose and intent of this measure is to:

- (1) Limit compelled disclosure of sources or unpublished information for journalists, newscasters, and persons participating in the collection or dissemination of news or information of substantial public interest; and
- (2) Establish exceptions.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from two individuals.

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 the content of this measure and also inserted provisions that specified that the privilege for journalists, newscasters, and persons participating in the collection or dissemination of news or information of substantial public interest shall be claimed by them and shall not be claimed by persons who were the source of information.

Your Committee received testimony in support of the proposed S.D. 1 from the League of Women Voters of Hawaii, Big Island Press Club, Society of Professional Journalists Hawaii Chapter, and one individual. Your Committee received comments on the proposed S.D. 1 from the Judiciary.

Your Committee finds that Act 210, Session Laws of Hawaii 2008 (Act 210), temporarily established a limited news media privilege against the compelled disclosure of sources and unpublished information to a legislative, executive, or judicial officer or body, or to any other person who may compel testimony. Subsequently, Act 113, Session Laws of Hawaii 2011, extended the repeal date of Act 210 from June 30, 2011, to June 30, 2013, and required the Judiciary, through the Supreme Court Standing Committee on the Rules of Evidence, to report to the Legislature and make recommendations. In December 2011, the Supreme Court Standing Committee on the Rules of Evidence submitted a report to the Legislature recommending that the sunset provision under Act 210 be repealed and the news media privilege be codified under chapter 621, Hawaii Revised Statutes. This measure enacts the recommendation of the Supreme Court Standing Committee on the Rules of Evidence by enacting a permanent news media privilege.

Your Committee has amended this measure by:

- (1) Adopting the proposed S.D. 1; and
- (2) Inserting an effective date of March 22, 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. 1502, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1502, 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, none. Excused, 1 (San Buenaventura).

**SCRep. 1617 (Joint) Health and Human Services and Transportation and Culture and the Arts on S.C.R. No. 28**

The purpose and intent of this measure is to designate the month of March as Hawaii Kidney Awareness Month.

Your Committees received testimony in support of this measure from the Department of Health, U.S. Renal Care, Healthcare Association of Hawaii, National Kidney Foundation of Hawaii, Kaiser Permanente Hawai'i, Liberty Dialysis-Hawaii, The Queen's Health System, Hawaii Medical Association, and one individual.

Your Committees find that the State's kidney failure rate is thirty percent higher than the national rate, and studies have shown that incidence rates of end-stage kidney disease among Native Hawaiians and other Pacific Islanders are especially high. Your Committees also find that kidney disease is often referred to as a "silent disease" due to the lack of symptoms during its early stages, and as many as ninety percent of people who have chronic kidney disease had been unaware of their disease until it reached advanced stages. This measure will increase awareness of kidney health and disease in the State, thereby supporting early detection and allowing people to take steps in the diseases' early stages to prevent further damage.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Transportation and Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 28 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Shimabukuro).

Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Inouye).

**SCRep. 1618 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 64**

The purpose and intent of this measure is to request the Department of Health's Solid Waste Section to develop a plan of initiatives for improved waste diversion by working with the counties to address each county's unique needs according to its geography, population, and industry make-up.

Your Committees received testimony in support of this measure from the Iron Workers Stabilization Fund and International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Health.

Your Committees find that by-products of solid waste deposited into landfills, including methane gas, can have adverse effects on the surrounding environment and health of nearby communities. Your Committees further find that incineration with recyclable-materials separation and energy recovery, which is a waste-to-energy technology where recyclable materials are separated from waste before it is burned at a temperatures high enough to destroy contaminants and the heat generated during the process is used to generate electric power, can reduce the State's solid waste from landfills, while extracting energy and valuable materials for recycling. This measure will promote collaboration among the State and counties to improve waste diversion activities within the State and reduce its reliance on landfills and fossil fuels.

Your Committees acknowledge the testimony of the Department of Health stating that it will need approximately \$500,000 to develop and submit an economic viability report that analyzes the elements prescribed in this measure.

Your Committees have amended this measure by:

- (1) Deleting certain findings that suggest the State would not be able to meet its landfill diversion goals without the use of incineration;
- (2) Clarifying that the Department of Health's Solid Waste Section is requested to, subject to the availability of funding, investigate strategies for improved waste diversion;
- (3) Clarifying that fulfilment of the additional requests made in this measure is subject to the availability of funding;
- (4) Deleting language that would have requested the Department of Health's preliminary report to the Legislature to include any proposed legislation; 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 Human Services and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 64, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 64, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

#### **SCRep. 1619 (Joint) Labor and Technology and Government Operations on S.C.R. No. 84**

The purpose and intent of this measure is to request that the Chief Information Officer ensure that all state departments, agencies, and offices of the State have up-to-date technology to reduce cyber threats and help protect the State against cyberattacks.

Your Committees received testimony in support of this measure from the Judiciary, Office of Enterprise Technology Services, and one individual.

Your Committees find that the frequency, scale, and sophistication of cyberattacks against key infrastructure and government systems have been on the rise and that the devastating effects of these cyberattacks can range from financial loss, skewed election results, theft and destruction of data, blackouts, and other forms of service disruptions. Your Committees recognize that up-to-date technology can help protect the State from cyber threats against key day-to-day operations of the institutions and infrastructure of the State. According to testimony from the Office of Enterprise Technology Services, an amendment requesting the Chief Information Officer to review the status of departmental technology instead of ensuring that the technology is up-to-date would align this measure with the Chief Information Officer's statutory responsibility regarding cybersecurity pursuant to section 27-43.5, Hawaii Revised Statutes.

Accordingly, your Committees have amended this measure by:

- (1) Amending language to request that the Chief Information Officer review whether all departments, agencies, and offices of the State have up-to-date technology to reduce cyber threats in accordance with the statutory responsibility of the Office of Enterprise Technology Services;
- (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 Labor and Technology and Government Operations that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 84, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 84, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Wakai).

#### **SCRep. 1620 (Joint) Labor and Technology and Government Operations on S.R. No. 75**

The purpose and intent of this measure is to request that the Chief Information Officer ensure that all state departments, agencies, and offices of the State have up-to-date technology to reduce cyber threats and help protect the State against cyberattacks.

Your Committee received testimony in support of this measure from the Judiciary.

Your Committees find that the frequency, scale, and sophistication of cyberattacks against key infrastructure and government systems have been on the rise and that the devastating effects of these cyberattacks can range from financial loss, skewed election results, theft and destruction of data, blackouts, and other forms of service disruptions. Your Committees recognize that up-to-date technology can help protect the State from cyber threats against key day-to-day operations of the institutions and infrastructure of the State. According to testimony from the Office of Enterprise Technology Services, an amendment requesting the Chief Information Officer to review the status of departmental technology instead of ensuring that the technology is up-to-date would align this measure with the Chief Information Officer's statutory responsibility regarding cybersecurity pursuant to section 27-43.5, Hawaii Revised Statutes.

Accordingly, your Committees have amended this measure by:

- (1) Amending language to request that the Chief Information Officer review whether all departments, agencies, and offices of the State have up-to-date technology to reduce cyber threats in accordance with the statutory responsibility of the Office of Enterprise Technology Services;
- (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 Labor and Technology and Government Operations that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 75, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 75, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Wakai).

**SCRep. 1621 (Majority) Judiciary on S.C.R. No. 78**

The purpose and intent of this measure is to request the Judiciary to examine the frequency of complaints for summary possession that are granted in favor of the landlord when the landlord is represented by counsel and the tenant is acting pro se.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that there is a substantial power imbalance between landlords and tenants because landlords have the authority to dictate the living situation of their tenants; there are no statutory restrictions on the amount that landlords can increase rent prices; and landlords usually have more financial resources, allowing them greater access to legal counsel. Evicted tenants often are already subject to significant financial restraints, which not only makes retaining legal counsel on short notice for these tenants unduly burdensome, but often leads to these tenants having to represent themselves pro se. Your Committee further finds that it is in the State's best interest to minimize the risk of abuse to evicted tenants and protect them from further economic and mental duress. This measure will request the Judiciary to examine the disparity in representation between landlords and evicted tenants so that possible solutions may be identified to help assist evicted tenants.

Your Committee has amended this measure by:

- (1) Amending its title in accordance with its amended purpose;
- (2) Specifying that the Judiciary is requested to examine the frequency of motions for summary judgment, in addition to complaints for summary possession, that result in a judgment in favor of the landlord when the landlord is represented by counsel and the tenant is acting pro se;
- (3) Changing the number of days for the Judiciary to submit a report to the Legislature from twenty days to forty days; 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 Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 78, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 78, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1622 (Majority) Judiciary on S.R. No. 70**

The purpose and intent of this measure is to request the Judiciary to examine the frequency of complaints for summary possession that are granted in favor of the landlord when the landlord is represented by counsel and the tenant is acting pro se.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that there is a substantial power imbalance between landlords and tenants because landlords have the authority to dictate the living situation of their tenants; there are no statutory restrictions on the amount that landlords can increase rent prices; and landlords usually have more financial resources, allowing them greater access to legal counsel. Evicted tenants often are already subject to significant financial restraints, which not only makes retaining legal counsel on short notice for these tenants unduly burdensome, but often leads to these tenants having to represent themselves pro se. Your Committee further finds that it is in the State's best interest to minimize the risk of abuse to evicted tenants and protect them from further economic and mental duress. This measure will request the Judiciary to examine the disparity in representation between landlords and evicted tenants so that possible solutions may be identified to help assist evicted tenants.

Your Committee has amended this measure by:

- (1) Amending its title in accordance with its amended purpose;
- (2) Specifying that the Judiciary is requested to examine the frequency of motions for summary judgment, in addition to complaints for summary possession, that result in a judgment in favor of the landlord when the landlord is represented by counsel and the tenant is acting pro se;
- (3) Changing the number of days for the Judiciary to submit a report to the Legislature from twenty days to forty days; 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 Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 70, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 70, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1623 (Majority) Judiciary on S.C.R. No. 102**

The purpose and intent of this measure is to encourage the facilitation of a path to citizenship for immigrants from parties to the Compact of Free Association.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations's Office of Community Services and Hawai'i Civil Rights Commission.

Your Committee finds that the Compacts of Free Association (COFA) are a series of treaties between the United States, the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands. These treaties were partially established as compensation for the loss of life, health, land, and resources due to the numerous nuclear weapons tests on the Marshall Islands and Bikini and Enewetak Atolls conducted by the United States from 1946 to 1958. Your Committee further finds that COFA allows citizens of Micronesia to live and legally work in the United States without visas, as well as have access to social and health services. However, under United States immigration law there is no path to United States citizenship for citizens of COFA nations. This measure will help create a path to citizenship for citizens of COFA nations.

Your Committee has amended this measure by clarifying the legislative findings.

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. 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, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1624 (Majority) Judiciary on S.R. No. 112**

The purpose and intent of this measure is to encourage the facilitation of a path to citizenship for immigrants from parties to the Compact of Free Association.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations's Office of Community Services and Hawai'i Civil Rights Commission.

Your Committee finds that the Compacts of Free Association (COFA) are a series of treaties between the United States, the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands. These treaties were partially established as compensation for the loss of life, health, land, and resources due to the numerous nuclear weapons tests on the Marshall Islands and Bikini and Enewetak Atolls conducted by the United States from 1946 to 1958. Your Committee further finds that COFA allows citizens of Micronesia to live and legally work in the United States without visas, as well as have access to social and health services. However, under United States immigration law there is no path to United States citizenship for citizens of COFA nations. This measure will help create a path to citizenship for citizens of COFA nations.

Your Committee has amended this measure by clarifying the legislative findings.

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. 112, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 112, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1625 Judiciary on S.C.R. No. 204**

The purpose and intent of this measure is to strongly urge the Supreme Court of the United States to adopt a formal ethics code for the United States justices.

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 urges 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. 204 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1626 Judiciary on S.R. No. 103**

The purpose and intent of this measure is to strongly urge the Supreme Court of the United States to adopt a formal ethics code for the United States justices.

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 urges 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. 103 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1627 (Joint) Government Operations and Energy, Economic Development, and Tourism on S.C.R. No. 172**

The purpose and intent of this measure is to urge the Public Works Division of the Department of Accounting and General Services in collaboration with the Stadium Authority to procure a concessionaire to design, build, operate, and maintain the new Aloha Stadium facility.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that in December 2020 the Stadium Authority announced the closure of Aloha Stadium and began preparation for a new stadium facility. Your Committees additionally find that Act 248, Session Laws of Hawaii 2022 (Act 248), appropriated \$350,000,000 in general obligation bonds and \$50,000,000 of general funds for the development of the New Aloha Stadium Entertainment District. Any delay in the development of the New Aloha Stadium Entertainment District would require larger availability payments, or long-term regular payments from the government to the private consortium that designs, builds, finances, operates, and maintains the new stadium facility, as there would be no ongoing revenue stream for the New Aloha Stadium Entertainment District. Therefore, this measure urges the Public Works Division of the Department of Accounting and General Services in collaboration with the Stadium Authority to seek a request for proposal under the design, build, operate, and maintain model for the new stadium facility.

Your Committees have amended this measure by:

- (1) Removing the term concessionaire from the measure and replacing it with developer;
- (2) Requesting that the Stadium Authority and the Public Works Division of the Department of Accounting of General Services immediately accelerate the request for proposal and report to the Legislature by June 30, 2023;
- (3) Amending its title in accordance with 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 Government Operations 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. 172, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 172, S.D. 1.

Signed by the Chairs on behalf of the Committees.  
Government Operations: Ayes, 5. Noes, none. Excused, none.  
Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1628 (Joint) Government Operations and Energy, Economic Development, and Tourism on S.R. No. 127**

The purpose and intent of this measure is to urge the Public Works Division of the Department of Accounting and General Services in collaboration with the Stadium Authority to procure a concessionaire to design, build, operate, and maintain the new Aloha Stadium facility.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services. Your Committees received testimony in opposition to this measure from one individual.



Your Committees find that in December 2020 the Stadium Authority announced the closure of Aloha Stadium and began preparation for a new stadium facility. Your Committees additionally find that Act 248, Session Laws of Hawaii 2022 (Act 248), appropriated \$350,000,000 in general obligation bonds and \$50,000,000 of general funds for the development of the New Aloha Stadium Entertainment District. Any delay in the development of the New Aloha Stadium Entertainment District would require larger availability payments, or long-term regular payments from the government to the private consortium that designs, builds, finances, operates, and maintains the new stadium facility, as there would be no ongoing revenue stream for the New Aloha Stadium Entertainment District. Therefore, this measure urges the Public Works Division of the Department of Accounting and General Services in collaboration with the Stadium Authority to seek a request for proposal under the design, build, operate, and maintain model for the new stadium facility.

Your Committees have amended this measure by:

- (1) Removing the term concessionaire from the measure and replacing it with developer;
- (2) Requesting that the Stadium Authority and the Public Works Division of the Department of Accounting of General Services immediately accelerate the request for proposal and report to the Legislature by June 30, 2023;
- (3) Amending its title in accordance with 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 Government Operations and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 127, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 127, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1629 (Joint/Majority) Government Operations and Health and Human Services on S.C.R. No. 87**

The purpose and intent of this measure is to request the Department of Accounting and General Services to provide menstrual products at no cost in state buildings under the jurisdiction of the Department of Accounting and General Services that are open to the public and contain public restrooms.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services, Ma'i Movement Hawai'i, Hawaii Women's Coalition, Parents and Children Together, and twenty-six individuals.

Your Committees find that period poverty has negative effects on a person's ability to meet basic necessities, gender equality, access to education and employment, and public health. A growing number of menstruating girls, women, and gender-diverse persons are at risk due to the absence of readily available aid and financial support. Recent data collected by the United States Census Bureau for the Household Pulse Survey indicated 43.8 percent of Hawaii households reported struggling to pay for usual household expenses in the last seven days. Your Committees further find that providing free menstrual products in public buildings would reduce health risks, alleviate the burdens of period poverty, and protect the dignity of all menstruating persons. Therefore, this measure requests the Department of Accounting and General Services to give members of the public access to essential hygiene products by providing menstrual products at no cost in state buildings under its jurisdiction that are open to the public and contain public restrooms.

As affirmed by the records of votes of the members of your Committees on Government Operations and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 87 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Wakai).

Health and Human Services: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1630 (Joint/Majority) Government Operations and Health and Human Services on S.R. No. 78**

The purpose and intent of this measure is to request the Department of Accounting and General Services to provide menstrual products at no cost in state buildings under the jurisdiction of the Department of Accounting and General Services that are open to the public and contain public restrooms.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services, Parents and Children Together, and twenty individuals.

Your Committees find that period poverty has negative effects on a person's ability to meet basic necessities, gender equality, access to education and employment, and public health. A growing number of menstruating girls, women, and gender-diverse persons are at risk due to the absence of readily available aid and financial support. Recent data collected by the United States Census Bureau for the Household Pulse Survey indicated 43.8 percent of Hawaii households reported struggling to pay for usual household expenses in the last seven days. Your Committees further find that providing free menstrual products in public buildings would reduce health risks, alleviate the burdens of period poverty, and protect the dignity of all menstruating persons. Therefore, this measure requests the Department of Accounting and General Services to give members of the public access to essential hygiene products by providing menstrual products at no cost in state buildings under its jurisdiction that are open to the public and contain public restrooms.

As affirmed by the records of votes of the members of your Committees on Government Operations and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 78 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.  
 Government Operations: Ayes, 3. Noes, 1 (Awa). Excused, 1 (Wakai).  
 Health and Human Services: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1631 (Joint) Government Operations and Transportation and Culture and the Arts on S.C.R. No. 118**

The purpose and intent of this measure is to request the Legislative Reference Bureau to research the Makahiki tradition to determine an appropriate date to designate as a state holiday celebrating Makahiki.

Your Committees received testimony in support of this measure from one individual. Your Committees received comments on this measure from the Legislative Reference Bureau.

Your Committees find that Makahiki is an annual festival and season of the Native Hawaiian tradition dedicated to harvest, bounty, taxation, and the god Lono. Makahiki was a time for the Hawaiian people and their ruling chiefs to focus on rest, strengthening their bodies, and having great feasts of commemoration, during days in which labor was prohibited. Your Committees further find that Makahiki was revived on Kaho'olawe and Moloka'i in 1981 and 1982, respectively and that the State currently recognizes November 20th of each year as Makahiki Commemoration Day. This measure acknowledges the importance of designating Makahiki as a state holiday.

Your Committees have amended this measure by:

- (1) Acknowledging that Act 68, Regular Session of 2008 designates November 20th of each year as a non-holiday "Makahiki Commemoration Day";
- (2) Amending it to request the Legislative Reference Bureau to research the designation of November 20th of each year as Makahiki Day as an unpaid state holiday, and submit a report, including any proposed legislation, to the Legislature prior to the Regular Session of 2024; and
- (3) Amending its title in accordance with its amended purpose.

As affirmed by the records of votes of the members of your Committees on Government Operations and Transportation and Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 118, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 118, S.D. 1.

Signed by the Chairs on behalf of the Committees.  
 Government Operations: Ayes, 5. Noes, none. Excused, none.  
 Transportation and Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1632 (Majority) Transportation and Culture and the Arts on S.C.R. No. 178**

The purpose and intent of this measure is to request the Governor to establish a 2023 Asia-Pacific Economic Cooperation Hawaii Delegation Team to participate in the 2023 Asia-Pacific Economic Cooperation events in Seattle, Washington and San Francisco, California.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism and Hawaii Tourism Authority.

Your Committee finds that the Asia-Pacific Economic Cooperation (APEC) is a regional economic forum established in 1989 that aims to create greater prosperity by promoting sustainable, innovative, and secure growth and accelerating regional economic integration. Presently, APEC is the only international intergovernmental grouping in the world committed to reducing barriers to trade and investment without requiring its members to enter into legally binding obligations. For 2023, APEC events will be held in Seattle, Washington, to host the APEC Ministerial and United States Senior Official Meetings, and in San Francisco, California, to host the summit meetings.

Your Committee further finds that the State is actively seeking to expand its international ties and has an abiding interest in developing friendship, goodwill, and economic and educational relations between the people of Hawaii and the people of Asia-Pacific regional economies. As a major gathering place for the Asia-Pacific region, Hawaii serves as a bridge between the United States and its regional partners. Participation in the 2023 APEC events will allow the State to expand its international ties and further develop connections in the Asia-Pacific region to provide economic prosperity for Hawaii's people.

Your Committee has amended this measure by:

- (1) Encouraging local companies and industry partners to participate in the 2023 Asia-Pacific Economic Cooperation events in Seattle and San Francisco;
- (2) Deleting language that would have:
  - (A) Requested the 2023 APEC Hawaii delegation team to participate in various activities at the 2023 APEC Events;
  - (B) Requested the East-West Center of Hawaii to coordinate with Native Hawaiians and South Pacific Islanders to participate during the APEC Ministerial and United States Senior Official meetings in Seattle in August, 2023;
  - (C) Requested the Department of Business, Economic Development, and Tourism to coordinate with the Hawaii Tourism Authority; Chamber of Commerce Hawaii; and neighbor island chambers of commerce to recommend trade show participants from Hawaii to be included in the APEC Hawaii delegation team; and
  - (D) Requested the Chamber of Commerce Hawaii to work closely with ethnic chambers of commerce to ensure that ethnic chambers of commerce in Hawaii receive equal representation and may voice concerns;

- (3) Requesting the Department of Business, Economic Development, and Tourism to initiate plans to participate in the 2023 APEC Events if sufficient interest is generated for participation;
- (4) Deleting the President of the United States, Governor, Chief Executive Officer of the Hawaii Tourism Authority, President of the East-West Center at the University of Hawaii, and Executive Director of Chamber of Commerce Hawaii from the list of recipients of certified copies;
- (5) Amending its title in accordance with 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 Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 178, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 178, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Inouye).

**SCRep. 1633 Housing on S.C.R. No. 54**

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to promote supportive housing in the State's Low-Income Housing Tax Credit Program.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and one individual.

Your Committee finds that the concept of supportive housing has been shown to decrease chronic homelessness, reduce burdens and costs on public systems, and decrease crime rates. Your Committee believes that public financing and other incentive should be made available for supportive housing projects, as the free market is not generating the essential inventory necessary for vulnerable, special-needs populations in the State. Accordingly, this measure would request the State's Qualified Allocation Plan be amended to incentivize and facilitate supportive housing development by allocating low-income housing tax credits to projects that serve tenants with special needs.

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. 54 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1634 Housing on S.R. No. 49**

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to promote supportive housing in the State's Low-Income Housing Tax Credit Program.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the concept of supportive housing has been shown to decrease chronic homelessness, reduce burdens and costs on public systems, and decrease crime rates. Your Committee believes that public financing and other incentive should be made available for supportive housing projects, as the free market is not generating the essential inventory necessary for vulnerable, special-needs populations in the State. Accordingly, this measure would request the State's Qualified Allocation Plan be amended to incentivize and facilitate supportive housing development by allocating low-income housing tax credits to projects that serve tenants with special needs.

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. 49 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1635 Housing on S.C.R. No. 55**

The purpose and intent of this measure is to urge Hawaii's congressional delegation to introduce and support legislation to amend Title IV-A of the Social Security Act to allow Temporary Assistance for Needy Families funds to be used by states to build transitional supportive housing and affordable rental housing.

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 Human Services and one individual.

Your Committee finds that the federal Temporary Assistance for Needy Families (TANF) program, administered by the United States Department of Health and Human Services, provides block grants to states that may be used to provide a wide range of services and short-term cash assistance payments to certain low-income families with children. However, under existing federal law, TANF funds cannot be used for capital improvement projects, such as the development and construction of housing. Hawaii's unspent TANF reserves are the second highest in the nation as a proportion of states' annual block grants. Accordingly, because funding is a major factor in the creation of affordable housing (especially supportive housing), this measure urges Hawaii's congressional delegation to introduce and support legislation to amend existing federal law to allow TANF funds to be used to build transitional supportive housing and affordable rental housing to help the State address its housing needs.

Your Committee notes the concerns raised in testimony submitted by the Department of Human Services that, due to the nature of the TANF program, if federal laws were amended to allow for the construction of affordable housing with TANF funds, any resulting

project would likely be made available only to those specific families eligible under the TANF program. Due to the State's ongoing housing crisis and need for a broad range of housing inventory across multiple groups of individuals, families, and price points, your Committee further notes that Hawaii's congressional delegation should also support legislation that increases housing resources to the federal Department of Housing and Urban Development, given the Department's mission to create strong, sustainable, inclusive communities and affordable homes for all.

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. 55 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1636 Housing on S.R. No. 50**

The purpose and intent of this measure is to urge Hawaii's congressional delegation to introduce and support legislation to amend Title IV-A of the Social Security Act to allow Temporary Assistance for Needy Families funds to be used by states to build transitional supportive housing and affordable rental housing.

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 Human Services.

Your Committee finds that the federal Temporary Assistance for Needy Families (TANF) program, administered by the United States Department of Health and Human Services, provides block grants to states that may be used to provide a wide range of services and short-term cash assistance payments to certain low-income families with children. However, under existing federal law, TANF funds cannot be used for capital improvement projects, such as the development and construction of housing. Hawaii's unspent TANF reserves are the second highest in the nation as a proportion of states' annual block grants. Accordingly, because funding is a major factor in the creation of affordable housing (especially supportive housing), this measure urges Hawaii's congressional delegation to introduce and support legislation to amend existing federal law to allow TANF funds to be used to build transitional supportive housing and affordable rental housing to help the State address its housing needs.

Your Committee notes the concerns raised in testimony submitted by the Department of Human Services that, due to the nature of the TANF program, if federal laws were amended to allow for the construction of affordable housing with TANF funds, any resulting project would likely be made available only to those specific families eligible under the TANF program. Due to the State's ongoing housing crisis and need for a broad range of housing inventory across multiple groups of individuals, families, and price points, your Committee further notes that Hawaii's congressional delegation should also support legislation that increases housing resources to the federal Department of Housing and Urban Development, given the Department's mission to create strong, sustainable, inclusive communities and affordable homes for all.

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. 50 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1637 Housing on S.C.R. No. 130**

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to revise the prioritization and evaluation and ranking criteria for its allocation of low-income housing tax credits and awards from the Rental Housing Revolving Fund.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and one individual.

Your Committee finds that the Low-Income Housing Tax Credit Program is a major financing tool for developers constructing or rehabilitating low-income rental units, which are urgently needed in the State. When the State issues tax credits for a qualified low-income building, the State does not receive an ownership interest in the building in return, and developers are only subject to a minimum affordability compliance period, at which point the State often purchases the building to ensure the units remain affordable and to guarantee tenant stability after the compliance period ends. This can result in taxpayers paying for a project twice. The State's Qualified Allocation Plan establishes the criteria for the allocation of low-income housing tax credits. Your Committee believes that amending the Qualified Allocation Plan to grant higher priority to projects that are on State lands can help ensure that units remain affordable in perpetuity, therefore increasing the supply of affordable housing.

Your Committee further finds that the Rental Housing Revolving Fund is used to provide loans or grants for the development, construction, and rehabilitation of rental housing units in the State. Developers can often take decades to repay loans, relying on legislative appropriations to replenish the fund. Developers in Hawaii are not required to use any profits generated by a housing project to build additional housing, and no incentive exists to encourage developers to do so. Due to the ongoing housing shortage in the State, the prioritization of funds awarded from the Rental Housing Revolving Fund should be modified to incentivize developers to use profits to build additional housing to ensure the necessary future supply of units for Hawaii residents. Accordingly, this measure will help ensure that local housing development is less profit-motivated and more focused on providing Hawaii's residents with a greater and more consistent supply of affordable 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 concurs with the intent and purpose of S.C.R. No. 130 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1638 Housing on S.R. No. 132**

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to revise the prioritization and evaluation and ranking criteria for its allocation of low-income housing tax credits and awards from the Rental Housing Revolving Fund.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the Low-Income Housing Tax Credit Program is a major financing tool for developers constructing or rehabilitating low-income rental units, which are urgently needed in the State. When the State issues tax credits for a qualified low-income building, the State does not receive an ownership interest in the building in return, and developers are only subject to a minimum affordability compliance period, at which point the State often purchases the building to ensure the units remain affordable and to guarantee tenant stability after the compliance period ends. This can result in taxpayers paying for a project twice. The State's Qualified Allocation Plan establishes the criteria for the allocation of low-income housing tax credits. Your Committee believes that amending the Qualified Allocation Plan to grant higher priority to projects that are on State lands can help ensure that units remain affordable in perpetuity, therefore increasing the supply of affordable housing.

Your Committee further finds that the Rental Housing Revolving Fund is used to provide loans or grants for the development, construction, and rehabilitation of rental housing units in the State. Developers can often take decades to repay loans, relying on legislative appropriations to replenish the fund. Developers in Hawaii are not required to use any profits generated by a housing project to build additional housing, and no incentive exists to encourage developers to do so. Due to the ongoing housing shortage in the State, the prioritization of funds awarded from the Rental Housing Revolving Fund should be modified to incentivize developers to use profits to build additional housing to ensure the necessary future supply of units for Hawaii residents. Accordingly, this measure will help ensure that local housing development is less profit-motivated and more focused on providing Hawaii's residents with a greater and more consistent supply of affordable 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 concurs with the intent and purpose of S.R. No. 132 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1639 Housing on S.C.R. No. 151**

The purpose and intent of this measure is to reaffirm the commitment to increase the State's affordable housing stock by not allocating special purpose revenue bonds and discouraging the use of special purpose revenue bonds.

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 one individual.

Your Committee finds that the State is facing a housing shortage and it must support and facilitate the production and maintenance of available affordable housing. Your Committee recognizes that, while the four percent low-income housing tax credit is not subject to a volume cap, it must be used in conjunction with private activity bond financing. Your Committee further recognizes that the combination of federal and state low-income housing tax credits and private activity bonds allows developers to feasibly build rental housing projects for households at or below sixty percent of the area median income. Additionally, the Internal Revenue Service restricts the amount of certain private activity bonds that can be issued within a state during a calendar year. While special purpose revenue bonds (SPRBs) have no cap, some are subject to the private activity bond volume cap, which can divert much needed private activity bond financing and hinder the ability of developers to build affordable housing projects in the State. In recognition of this situation, the Legislature enacted Act 182, Session Laws of Hawaii 2022, which establishes a moratorium on the issuance of SPRBs, unless requested by the Governor. This measure seeks to reaffirm the Legislature's commitment to allow the maximum amount of private activity bonds to be used to address the State's ongoing housing crisis.

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. 151 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1640 Housing on S.R. No. 179**

The purpose and intent of this measure is to reaffirm the commitment to increase the State's affordable housing stock by not allocating special purpose revenue bonds and discouraging the use of special purpose revenue bonds.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State is facing a housing shortage and it must support and facilitate the production and maintenance of available affordable housing. Your Committee recognizes that, while the four percent low-income housing tax credit is not subject to a volume cap, it must be used in conjunction with private activity bond financing. Your Committee further recognizes that the combination of federal and state low-income housing tax credits and private activity bonds allows developers to feasibly build rental housing projects for households at or below sixty percent of the area median income. Additionally, the Internal Revenue Service restricts the amount of certain private activity bonds that can be issued within a state during a calendar year. While special purpose revenue bonds (SPRBs) have no cap, some are subject to the private activity bond volume cap, which can divert much needed private activity bond financing and hinder the ability of developers to build affordable housing projects in the State. In recognition of this situation, the Legislature enacted Act 182, Session Laws of Hawaii 2022, which establishes a moratorium on the issuance of SPRBs, unless requested by the Governor. This measure seeks to reaffirm the Legislature's commitment to allow the maximum amount of private activity bonds to be used to address the State's ongoing housing crisis.

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. 179 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1641 Health and Human Services on S.C.R. No. 42**

The purpose and intent of this measure is to request the Blood Bank of Hawaii to expedite the process of removing the deferral for individuals previously considered to be exposed to Creutzfeldt-Jakob Disease and Variant Creutzfeldt-Jakob Disease to assist with the urgent demand for blood in the State.

Your Committee did not receive any testimony on this measure.

Your Committee finds that the State's blood inventory is at a historic low. As a result, hospitals statewide have received between twenty to forty percent less blood than usual. Despite the dire need for blood in the State, the State's sole blood provider, the Blood Bank of Hawaii, has yet to adopt updated guidance issued by the Food and Drug Administration (FDA) in May 2022 concerning individuals deferred from donating blood due to risk for possible exposure to Variant Creutzfeldt-Jakob Disease. These guidelines rescind the FDA's previous recommendation to prohibit individuals from donating blood due to time spent in certain locales once considered to be at high risk for exposure to Variant Creutzfeldt-Jakob Disease during specific years. The Blood Bank of Hawaii's adoption of the FDA's updated guidelines has the potential to increase the number of individuals eligible to donate blood and alleviate the blood shortage in the State.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 42 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1642 (Joint) Agriculture and Environment and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 141**

The purpose and intent of this measure is to request each county to develop a comprehensive integrated wastewater management plan and financial strategy to upgrade or convert cesspools located within its respective jurisdiction by 2050.

Your Committees received testimony in support of this measure from Hawai'i Associations of REALTORS and Hawai'i Reef and Ocean Coalition. Your Committees received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committees find that Act 125, Session Laws of Hawaii 2017 (Act 125), requires every cesspool in the State, excluding cesspools granted exemptions by the Director of Health, to be upgraded or converted to a director-approved wastewater system or connected to a sewerage system by January 1, 2050. However, many properties in rural areas, especially on the neighbor islands, may not be in areas where existing county infrastructure allows for easy conversion and connection to sewer systems. Your Committees further find that a massive statewide infrastructure project, such as converting the cesspools in the State by 2050, requires proper planning and administration across various stakeholders and governmental institutions, including those of the counties. Therefore, this measure requests each county to develop a comprehensive integrated wastewater management plan and financial strategy to upgrade or convert cesspools located within its respective jurisdiction by 2050.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 141 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.  
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.  
Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Wakai).

**SCRep. 1643 (Joint) Agriculture and Environment and Public Safety and Intergovernmental and Military Affairs on S.R. No. 216**

The purpose and intent of this measure is to request each county to develop a comprehensive integrated wastewater management plan and financial strategy to upgrade or convert cesspools located within its respective jurisdiction by 2050.

Your Committees received testimony in support of this measure from Hawai'i Reef and Ocean Coalition. Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committees find that Act 125, Session Laws of Hawaii 2017 (Act 125), requires every cesspool in the State, excluding cesspools granted exemptions by the Director of Health, to be upgraded or converted to a director-approved wastewater system or connected to a sewerage system by January 1, 2050. However, many properties in rural areas, especially on the neighbor islands, may not be in areas where existing county infrastructure allows for easy conversion and connection to sewer systems. Your Committees further find that a massive statewide infrastructure project, such as converting the cesspools in the State by 2050, requires proper planning and administration across various stakeholders and governmental institutions, including those of the counties. Therefore, this measure requests each county to develop a comprehensive integrated wastewater management plan and financial strategy to upgrade or convert cesspools located within its respective jurisdiction by 2050.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 216 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Wakai).

**SCRep. 1644 Agriculture and Environment on S.C.R. No. 109**

The purpose and intent of this measure is to urge the Department of Agriculture to:

- (1) Designate Kunia, Leilehua Plateau, and Poamoho as the Central Oahu Agricultural Corridor; and
- (2) Establish a list prioritizing potential agricultural infrastructure improvement projects that would provide the most value to the State.

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

Your Committee acknowledges that since the downsizing of Hawaii's pineapple industry, both the State and private landowners have diversified farming on former pineapple plantation lands. Your Committee finds this trend to be beneficial and in alignment with the long-term agricultural vision of the State. Your Committee further finds that more developed and diversified farming in Hawaii requires new infrastructure, including roads and water systems. Therefore, this measure urges the Department of Agriculture to designate Kunia, Leilehua Plateau, and Poamoho as the Central Oahu Agricultural Corridor and requests the Department of Agriculture to establish a list prioritizing potential agricultural infrastructure improvement projects.

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. 109 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1645 Agriculture and Environment on S.R. No. 115**

The purpose and intent of this measure is to urge the Department of Agriculture to:

- (1) Designate Kunia, Leilehua Plateau, and Poamoho as the Central Oahu Agricultural Corridor; and
- (2) Establish a list prioritizing potential agricultural infrastructure improvement projects that would provide the most value to the State.

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

Your Committee acknowledges that since the downsizing of Hawaii's pineapple industry, both the State and private landowners have diversified farming on former pineapple plantation lands. Your Committee finds this trend to be beneficial and in alignment with the long-term agricultural vision of the State. Your Committee further finds that more developed and diversified farming in Hawaii requires new infrastructure, including roads and water systems. Therefore, this measure urges the Department of Agriculture to designate Kunia, Leilehua Plateau, and Poamoho as the Central Oahu Agricultural Corridor and requests the Department of Agriculture to establish a list prioritizing potential agricultural infrastructure improvement projects.

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. 115 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1646 Agriculture and Environment on S.C.R. No. 189**

The purpose and intent of this measure is to urge the Department of Agriculture to update its mission statement to include local food production to supply local community consumption, and to feature the mission statement more prominently on its website and appropriate publications.

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

Your Committee finds that the current mission of the Department of Agriculture is to promote the conservation, development, and utilization of agricultural resources in the State. Supporting an expanding local agriculture sector is essential to the overall viability of the State's economy and yet, is not included in the Department of Agriculture's current mission statement. Thus, this measure requests that the Department of Agriculture update its mission statement to incorporate new language to emphasize the priority and desirability for local agricultural production and to feature this mission statement more prominently on its website and uniformly in its publications.

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. 189 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1647 Agriculture and Environment on S.R. No. 173**

The purpose and intent of this measure is to urge the Department of Agriculture to update its mission statement to include local food production to supply local community consumption, and to feature the mission statement more prominently on its website and appropriate publications.

Your Committee received no testimony on this measure.

Your Committee finds that the current mission of the Department of Agriculture is to promote the conservation, development, and utilization of agricultural resources in the State. Supporting an expanding local agriculture sector is essential to the overall viability of the State's economy and yet, is not included in the Department of Agriculture's current mission statement. Thus, this measure requests that the Department of Agriculture update its mission statement to incorporate new language to emphasize the priority and desirability for local agricultural production and to feature this mission statement more prominently on its website and uniformly in its publications.

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. 173 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1648 Agriculture and Environment on S.C.R. No. 211**

The purpose and intent of this measure is to request the Hawaiian Humane Society to develop a program to assist low-income pet owners to afford emergency care for their pets.

Your Committee received testimony in support of this measure from twenty-one individuals. Your Committee received comments on this measure from three individuals.

Your Committee finds that there are physical health benefits of pet ownership such as increased opportunities for exercise as well as many mental health benefits, such as managing loneliness and depression through the companionship pets can provide. Your Committee further finds that keeping a pet healthy by making regular visits to the veterinarian and purchasing medication or enlisting medical services can be expensive. Families should not have to choose between the health of their pet or incurring debt. Therefore, this measure requests the Hawaiian Human Society to develop a program to assist low-income pet owners in providing feasible emergency medical care for their pets.

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. 211 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.

**SCRep. 1649 Agriculture and Environment on S.R. No. 151**

The purpose and intent of this measure is to request the Hawaiian Humane Society to develop a program to assist low-income pet owners to afford emergency care for their pets.

Your Committee did not receive any testimony on this measure.

Your Committee finds that there are physical health benefits of pet ownership such as increased opportunities for exercise as well as many mental health benefits, such as managing loneliness and depression through the companionship pets can provide. Your Committee further finds that keeping a pet healthy by making regular visits to the veterinarian and purchasing medication or enlisting medical services can be expensive. Families should not have to choose between the health of their pet or incurring debt. Therefore, this measure requests the Hawaiian Human Society to develop a program to assist low-income pet owners in providing feasible emergency medical care for their pets.

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. 151 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.

**SCRep. 1650 Agriculture and Environment on S.C.R. No. 138**

The purpose and intent of this measure is to request the Department of Agriculture to examine organic pesticides for authorized use in the State.

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

Your Committee finds that organic pesticides are pesticides that typically come from natural sources, such as plants, minerals, or microorganisms, and have emerged as a popular alternative to conventional synthetic pesticides in recent years. Your Committee further finds that Hawaii has been impacted by various agricultural diseases and invasive species and the use of organic pesticides can bolster the sustainability of Hawaii's agricultural sector while minimizing the lasting environmental effects of pesticides. Therefore, this measure requests the Department of Agriculture to study organic pesticides currently licensed or authorized for use in the State and to identify organic pesticides not currently licensed or authorized for use and to test these pesticides for authorized use 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 concurs with the intent and purpose of S.C.R. No. 138 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.

**SCRep. 1651 Agriculture and Environment on S.R. No. 220**

The purpose and intent of this measure is to request the Department of Agriculture to examine organic pesticides for authorized use in the State.



Your Committee received comments on this measure from one individual.

Your Committee finds that organic pesticides are pesticides that typically come from natural sources, such as plants, minerals, or microorganisms, and have emerged as a popular alternative to conventional synthetic pesticides in recent years. Your Committee further finds that Hawaii has been impacted by various agricultural diseases and invasive species and the use of organic pesticides can bolster the sustainability of Hawaii's agricultural sector while minimizing the lasting environmental effects of pesticides. Therefore, this measure requests the Department of Agriculture to study organic pesticides currently licensed or authorized for use in the State and to identify organic pesticides not currently licensed or authorized for use and to test these pesticides for authorized use 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 concurs with the intent and purpose of S.R. No. 220 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Richards). Noes, none. Excused, none.

**SCRep. 1652      Agriculture and Environment on S.C.R. No. 135**

The purpose and intent of this measure is to request the Legislature to convene a working group with representation from all levels of government to develop a program to phase out the use of Perfluoroalkyl and Polyfluoroalkyl substances (PFAS) in the State.

Your Committee received testimony in support of this measure from Americans for Democratic Action Hawai'i, Shimanchu Wai Protectors, Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Our Revolution Hawaii, and fifty individuals. Your Committee received testimony in opposition to this measure from the American Chemistry Council and one individual. Your Committee received comments on this measure from the Department of Health and Island Energy.

Your Committee finds that Perfluoroalkyl and Polyfluoroalkyl substances (PFAS) are a group of chemicals, also known as forever chemicals, that are widely used and found in a variety of products that do not break down in the environment. These chemicals can persist and move through soils and drinking water sources; bioaccumulate in fish and wildlife and move through the food chain; and have been linked to growth and development defects, reproductive health issues, and other detrimental health effects. Your Committee further finds that according to the United States Environmental Protection Agency and Department of Health, the Red Hill Bulk Fuel Storage Facility leakage of 2021 led to significantly high levels of PFAS in ground water samples. Therefore, this measure requests the formation of a PFAS Working Group with representatives from all levels of government to develop a program to phase out the use of PFAS 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 concurs with the intent and purpose of S.C.R. No. 135 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1653      Agriculture and Environment on S.R. No. 217**

The purpose and intent of this measure is to request the Legislature to convene a working group with representation from all levels of government to develop a program to phase out the use of Perfluoroalkyl and Polyfluoroalkyl substances (PFAS) in the State.

Your Committee received testimony in support of this measure from Americans for Democratic Action Hawai'i, Agriculture and Food Security Committee of the Environmental Caucus of the Democratic Party of Hawai'i, Our Revolution Hawaii, the Environmental Caucus of the Democratic Party of Hawai'i, and nine individuals. Your Committee received comments on this measure from Island Energy.

Your Committee finds that Perfluoroalkyl and Polyfluoroalkyl substances (PFAS) are a group of chemicals, also known as forever chemicals, that are widely used and found in a variety of products that do not break down in the environment. These chemicals can persist and move through soils and drinking water sources; bioaccumulate in fish and wildlife and move through the food chain; and have been linked to growth and development defects, reproductive health issues, and other detrimental health effects. Your Committee further finds that according to the United States Environmental Protection Agency and Department of Health, the Red Hill Bulk Fuel Storage Facility leakage of 2021 led to significantly high levels of PFAS in ground water samples. Therefore, this measure requests the formation of a PFAS Working Group with representatives from all levels of government to develop a program to phase out the use of PFAS 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 concurs with the intent and purpose of S.R. No. 217 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1654      (Majority) Agriculture and Environment on S.C.R. No. 46**

The purpose and intent of this measure is to request the Department of Agriculture to convene a feral game mammal working group to find, solicit, and distribute grants for the control of feral game animals.

Your Committee received testimony in support of this measure from the Department of Agriculture. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that feral game mammals threaten the integrity and health of native ecosystems in Hawaii. Feral goats, sheep, pigs, and axis deer accelerate erosion, spread weeds and diseases, and uproot native plants. Therefore, this measure requests the Department of Agriculture to convene a working group to find, solicit, and distribute grants for the control of feral game animals to address the environmental, health, and safety concerns that they pose 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 concurs with the intent and purpose of S.C.R. No. 46 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1655 (Majority) Agriculture and Environment on S.R. No. 41**

The purpose and intent of this measure is to request the Department of Agriculture to convene a feral game mammal working group to find, solicit, and distribute grants for the control of feral game animals.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that feral game mammals threaten the integrity and health of native ecosystems in Hawaii. Feral goats, sheep, pigs, and axis deer accelerate erosion, spread weeds and diseases, and uproot native plants. Therefore, this measure requests the Department of Agriculture to convene a working group to find, solicit, and distribute grants for the control of feral game animals to address the environmental, health, and safety concerns that they pose 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 concurs with the intent and purpose of S.R. No. 41 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1656 (Majority) Agriculture and Environment on S.C.R. No. 92**

The purpose and intent of this measure is to request the Department of Agriculture, Department of Land and Natural Resources, Department of Health, City and County of Honolulu, and County of Hawaii, to collaborate to establish and implement a five-year pilot program to mitigate and control the significant increase in the population of feral chickens, roosters, and pigs in certain areas of the State.

Your Committee received testimony in support of this measure from eleven individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture, Department of Health, and twenty-five individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and seven individuals.

Your Committee finds that feral chickens and roosters have become a persistent nuisance, particularly in suburban and urban residential communities. In addition to feral chickens and roosters, there has been a significant increase in the population of feral pigs that can cause damage and annoyance to properties and communities. Your Committee additionally finds that to protect Hawaii's ecosystem, natural resources, and the health and safety of its residents, it is critical that the State work together with the counties and the affected communities, including hunters, farmers, and natural resource managers, to identify and implement collaborative solutions to control the significant increase in the population of feral chickens, roosters, and pigs. Therefore, this measure requests certain state and local government agencies to collaborate to establish and implement a five-year pilot program to mitigate and control the State's population of feral chickens, roosters, and pigs.

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. 92 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Rhoads).

**SCRep. 1657 (Majority) Agriculture and Environment on S.R. No. 85**

The purpose and intent of this measure is to request the Department of Agriculture, Department of Land and Natural Resources, Department of Health, City and County of Honolulu, and County of Hawaii, to collaborate to establish and implement a five-year pilot program to mitigate and control the significant increase in the population of feral chickens, roosters, and pigs in certain areas of the State.

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 Land and Natural Resources.

Your Committee finds that feral chickens and roosters have become a persistent nuisance, particularly in suburban and urban residential communities. In addition to feral chickens and roosters, there has been a significant increase in the population of feral pigs that can cause damage and annoyance to properties and communities. Your Committee additionally finds that to protect Hawaii's ecosystem, natural resources, and the health and safety of its residents, it is critical that the State work together with the counties and the affected communities, including hunters, farmers, and natural resource managers, to identify and implement collaborative solutions to control the significant increase in the population of feral chickens, roosters, and pigs. Therefore, this measure requests certain state and local government agencies to collaborate to establish and implement a five-year pilot program to mitigate and control the State's population of feral chickens, roosters, and pigs.

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. 85 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (Rhoads).

**SCRep. 1658      Agriculture and Environment on S.C.R. No. 186**

The purpose and intent of this measure is to urge the Department of Education and Hawai'i Association of Independent Schools to expand the revitalization of the Future Farmers of America and 4-H Youth Program to support pathways to agriculture careers in Hawaii.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawaii Food Industry Association; Hawaii Cattleman's Council, Inc.; and one individual. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that the State imports more than eight-five percent of its food and is considered highly vulnerable to food insecurity. The State has since recognized this vulnerability and has initiated a major policy pivot towards food and agricultural self-sufficiency. Your Committee further finds that the current lack of young farmers and ranchers with the experience, skills, and ambition required to undertake the work of farming and ranching as a business and career poses a significant hurdle to vitalizing local agriculture. Future Farmers of America and 4-H offer students pathways to careers in Hawaii with companies and agencies that often resort to searching out-of-state for skilled workers and farmers due to the lack of local agricultural labor. Therefore, this measure urges the Department of Education and the Hawaii Association of Independent Schools, in consultation with the University of Hawaii at Manoa Cooperative Extension, to expand the revitalization of the Future Farmers of America and 4-H youth programs and reestablish and strengthen pathways for youth to find careers in agriculture.

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. 186 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Rhoads).

**SCRep. 1659      Agriculture and Environment on S.R. No. 170**

The purpose and intent of this measure is to urge the Department of Education and Hawai'i Association of Independent Schools to expand the revitalization of the Future Farmers of America and 4-H Youth Program to support pathways to agriculture careers in Hawaii.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Food Industry Association; Hawai'i Farm Bureau; and Hawaii Cattlemen's Council, Inc.

Your Committee finds that the State imports more than eight-five percent of its food and is considered highly vulnerable to food insecurity. The State has since recognized this vulnerability and has initiated a major policy pivot towards food and agricultural self-sufficiency. Your Committee further finds that the current lack of young farmers and ranchers with the experience, skills, and ambition required to undertake the work of farming and ranching as a business and career poses a significant hurdle to vitalizing local agriculture. Future Farmers of America and 4-H offer students pathways to careers in Hawaii with companies and agencies that often resort to searching out-of-state for skilled workers and farmers due to the lack of local agricultural labor. Therefore, this measure urges the Department of Education and the Hawaii Association of Independent Schools, in consultation with the University of Hawaii at Manoa Cooperative Extension, to expand the revitalization of the Future Farmers of America and 4-H youth programs and reestablish and strengthen pathways for youth to find careers in agriculture.

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. 170 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Rhoads).

**SCRep. 1660      (Joint) Agriculture and Environment and Water and Land on S.C.R. No. 41**

The purpose and intent of this measure is to designate Hawaii's coral reefs as Critical Natural Infrastructure and to strongly support nature-based solutions such as coral reef restoration for climate-related risk reduction.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Environmental Caucus of the Democratic Party of Hawai'i, Fair Wind Cruises, Hawai'i Reef and Ocean Coalition, Hawai'i Wildlife Fund, Friends of Hanauma Bay, The Nature Conservancy, and five individuals.

Your Committees find that healthy coral reef ecosystems can help to mitigate the effects of climate change and natural disasters by absorbing up to ninety-seven percent of wave energy brought about by storms and extreme weather events. Furthermore, one study has estimated that Hawaii's coral reefs protect and save coastal infrastructure from \$836,000,000 in costs and damages annually due to destructive flooding and similar events. Your Committees recognize that coral reefs globally are being threatened by increasing temperatures, coral bleaching events, ocean acidification, and pollution. Therefore, this measure designates Hawaii's coral reefs as critical natural infrastructure and proclaims the Legislature's support for nature-based climate based solutions such as coral reef restoration.

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 concur with the intent and purpose of S.C.R. No. 41 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.  
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.  
Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

**SCRep. 1661 (Joint) Agriculture and Environment and Water and Land on S.R. No. 35**

The purpose and intent of this measure is to designate Hawaii's coral reefs as Critical Natural Infrastructure and to strongly support nature-based solutions such as coral reef restoration for climate-related risk reduction.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Environmental Caucus of the Democratic Party of Hawai'i; Hawai'i Wildlife Fund; The Nature Conservancy; and two individuals.

Your Committees find that healthy coral reef ecosystems can help to mitigate the effects of climate change and natural disasters by absorbing up to ninety-seven percent of wave energy brought about by storms and extreme weather events. Furthermore, one study has estimated that Hawaii's coral reefs protect and save coastal infrastructure from \$836,000,000 in costs and damages annually due to destructive flooding and similar events. Your Committees recognize that coral reefs globally are being threatened by increasing temperatures, coral bleaching events, ocean acidification, and pollution. Therefore, this measure designates Hawaii's coral reefs as critical natural infrastructure and proclaims the Legislature's support for nature-based climate based solutions such as coral reef restoration.

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 concur with the intent and purpose of S.R. No. 35 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Fevella).

**SCRep. 1662 (Joint) Agriculture and Environment and Health and Human Services on S.C.R. No. 187**

The purpose and intent of this measure is to urge the National Institute of Food and Agriculture of the United States Department of Agriculture to issue additional funding for the Gus Schumacher Nutrition Incentive Program to provide matching funds for the expansion of the State Double Up Food Bucks Program to all approved Supplemental Nutrition Assistance Program retail outlets throughout the State.

Your Committees received testimony in support of this measure from the Department of Agriculture, Department of Human Services, Department of Health, Hawaii Pacific Health, Hawai'i Farm Bureau, Hawai'i Public Health Institute, 350Hawaii.org, Ulupono Initiative, and three individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that fresh fruit and vegetables are an integral part of a healthy diet and central to the prevention of obesity and chronic disease, and that every community should have access to fresh and health dietary options. Your Committees further find that participants of the federal Supplemental Nutrition Assistance Program (SNAP) in the State struggle to regularly afford healthy food. Act 153, Session Laws of Hawaii 2019 (Act 153), created the Hawaii Healthy Food Incentive Program to provide a dollar-for-dollar match to SNAP beneficiaries who purchase locally grown fruits and vegetables at participating farmers' markets, grocery stores, food hubs, and community-supported agriculture projects. Therefore, this measure urges the United States Department of Agriculture to issue additional funding for the Gus Schumacher Nutrition Incentive Program to provide matching funds for the expansion of the Hawaii Healthy Food Incentive Program, also known as Double Up Food Bucks Program, to all approved SNAP retail outlets in the State.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 187 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 1663 (Joint) Agriculture and Environment and Health and Human Services on S.R. No. 171**

The purpose and intent of this measure is to urge the National Institute of Food and Agriculture of the United States Department of Agriculture to issue additional funding for the Gus Schumacher Nutrition Incentive Program to provide matching funds for the expansion of the State Double Up Food Bucks Program to all approved Supplemental Nutrition Assistance Program retail outlets throughout the State.

Your Committees received testimony in support of this measure from the Department of Agriculture, Department of Human Services, Department of Health, Hawaii Pacific Health, Hawai'i Farm Bureau, Hawai'i Public Health Institute, 350Hawaii.org, The Food Basket, Ulupono Initiative, and one individual.

Your Committees find that fresh fruit and vegetables are an integral part of a healthy diet and central to the prevention of obesity and chronic disease, and that every community should have access to fresh and health dietary options. Your Committees further find that participants of the federal Supplemental Nutrition Assistance Program (SNAP) in the State struggle to regularly afford healthy food. Act 153, Session Laws of Hawaii 2019 (Act 153), created the Hawaii Healthy Food Incentive Program to provide a dollar-for-dollar match to SNAP beneficiaries who purchase locally grown fruits and vegetables at participating farmers' markets, grocery stores, food hubs, and community-supported agriculture projects. Therefore, this measure urges the United States Department of Agriculture to issue additional funding for the Gus Schumacher Nutrition Incentive Program to provide matching funds for the expansion of the Hawaii Healthy Food Incentive Program, also known as Double Up Food Bucks Program, to all approved SNAP retail outlets in the State.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 171 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 1664 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 43**

The purpose and intent of this measure is to request the City and County of Honolulu to:

- (1) Move forward with a Pearl Harbor Historic Trail pilot demonstration project; and
- (2) Enter into a long-term agreement with the United States Navy, in partnership with state agencies, to ensure the revitalization of the multi-use trail.

Your Committee received testimony in support of this measure from the Department of Transportation Services of the City and County of Honolulu, one member of the Aiea Neighborhood Board, 'Aiea Community Association, Friends of the Pearl Harbor Historic Trail, Hawaii Military Affairs Council, Hawai'i Bicycling League, and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the proposed Pearl Harbor Historic Trail is a multi-use path that will run 18.6 miles from Halawa Landing to Nanakuli, linking neighborhoods, historic sites, recreational areas, regional attractions, and nature along the old Oahu Railway and Land Company right-of-way. However, parts of the path have been used by squatters and as dumping grounds for stolen vehicles and junk, and volunteer groups have been helping to clear the path, which runs through state, federal, and private lands. Your Committee believes that, while the proposed Pearl Harbor Historic Trail Master Plan has not been implemented, improving the Pearl Harbor Historic Trail is long overdue and should move forward as part of a broad strategy to meet a number of community needs. This measure will help to create safe bicycle and pedestrian paths, a natural and historic preservation project, a recreation resource, a means of opening up shoreline access, and an opportunity for revitalization in several local communities.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 43 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1665 Public Safety and Intergovernmental and Military Affairs on S.R. No. 37**

The purpose and intent of this measure is to request the City and County of Honolulu to:

- (1) Move forward with a Pearl Harbor Historic Trail pilot demonstration project; and
- (2) Enter into a long-term agreement with the United States Navy, in partnership with state agencies, to ensure the revitalization of the multi-use trail.

Your Committee received testimony in support of this measure from the Department of Transportation Services of the City and County of Honolulu, 'Aiea Community Association, Friends of the Pearl Harbor Historic Trail, Military Affairs Council, and one individual.

Your Committee finds that the proposed Pearl Harbor Historic Trail is a multi-use path that will run 18.6 miles from Halawa Landing to Nanakuli, linking neighborhoods, historic sites, recreational areas, regional attractions, and nature along the old Oahu Railway and Land Company right-of-way. However, parts of the path have been used by squatters and as dumping grounds for stolen vehicles and junk, and volunteer groups have been helping to clear the path, which runs through state, federal, and private lands. Your Committee believes that, while the proposed Pearl Harbor Historic Trail Master Plan has not been implemented, improving the Pearl Harbor Historic Trail is long overdue and should move forward as part of a broad strategy to meet a number of community needs. This measure will help to create safe bicycle and pedestrian paths, a natural and historic preservation project, a recreation resource, a means of opening up shoreline access, and an opportunity for revitalization in several local communities.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 37 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1666 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 90**

The purpose and intent of this measure is to request the Department of Public Safety to submit a report to the Legislature detailing the Department's process in assisting inmates in obtaining identification cards.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that past legislatures have appropriated funds to the Department of Public Safety to start the process of reentry by ensuring that everyone who is released from incarceration has a valid identification card. For example, in 2016, the Legislature appropriated \$25,000 to the Department of Public Safety for the purpose of creating identification cards for inmates, and in 2022 the Legislature appropriated \$100,000 to the Department of Public Safety to purchase machines for data input at each facility to implement the identification card program. Your Committee believes that the use of public funds allocated for ensuring that each person is released from incarceration with a valid identification card should be public information. This measure will reassure the public that public funds allocated to assist inmates in obtaining identification cards are being used for their intended purpose.

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 and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 90, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 90, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1667 Public Safety and Intergovernmental and Military Affairs on S.R. No. 82**

The purpose and intent of this measure is to request the Department of Public Safety to submit a report to the Legislature detailing the Department's process in assisting inmates in obtaining identification cards.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that past legislatures have appropriated funds to the Department of Public Safety to start the process of reentry by ensuring that everyone who is released from incarceration has a valid identification card. For example, in 2016, the Legislature appropriated \$25,000 to the Department of Public Safety for the purpose of creating identification cards for inmates, and in 2022 the Legislature appropriated \$100,000 to the Department of Public Safety to purchase machines for data input at each facility to implement the identification card program. Your Committee believes that the use of public funds allocated for ensuring that each person is released from incarceration with a valid identification card should be public information. This measure will reassure the public that public funds allocated to assist inmates in obtaining identification cards are being used for their intended purpose.

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 and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 82, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 82, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1668 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 91**

The purpose and intent of this measure is to request that the Governor convene a task force to examine and make recommendations on the existing procedures for the adoption of the state building code.

Your Committee received testimony in support of this measure from the Subcontractors Association of Hawaii, Hawai'i Gas, Building Industry Association of Hawaii, and one individual.

Your Committee finds that according to a 2019 study by the Department of Business, Economic Development, and Tourism, the State will require an additional 50,156 homes by 2025. Despite this, there has been a lack of measurable progress at the county level to enact policies that will stimulate housing production to meet the projected demand, in large part due to existing laws and county procedures regarding the adoption and implementation of building codes that impede the building permit process. Your Committee believes that the process to obtain a building permit in the State is often redundant, costly, and time consuming for builders and residents. This measure will encourage the State Building Code Council to make necessary updates to the state building code to reduce delays and increase the number of available homes in the State.

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 and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 91, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 91, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1669 Public Safety and Intergovernmental and Military Affairs on S.R. No. 84**

The purpose and intent of this measure is to request that the Governor convene a task force to examine and make recommendations on the existing procedures for the adoption of the state building code.

Your Committee received testimony in support of this measure from the Subcontractors Association of Hawaii and Hawai'i Gas.

Your Committee finds that according to a 2019 study by the Department of Business, Economic Development, and Tourism, the State will require an additional 50,156 homes by 2025. Despite this, there has been a lack of measurable progress at the county level to enact policies that will stimulate housing production to meet the projected demand, in large part due to existing laws and county procedures regarding the adoption and implementation of building codes that impede the building permit process. Your Committee believes that the process to obtain a building permit in the State is often redundant, costly, and time consuming for builders and residents. This measure will encourage the State Building Code Council to make necessary updates to the state building code to reduce delays and increase the number of available homes in the State.

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 and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 84, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 84, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1670 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 101**

The purpose and intent of this measure is to request the Hawaii Emergency Management Agency, in conjunction with the Harbors Division of the Department of Transportation, to establish a two-year task force to address the key findings of the July 2022 Resiliency Assessment report of the Hawaii Maritime Transportation Regional Resiliency Assessment Program Project and plan for related resiliency enhancements.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency and Department of Transportation.

Your Committee finds that Hawaii's maritime transportation system is vital to the State's supply chains, with the port of Honolulu being a crucial part of the maritime transportation system. Approximately eighty percent of all inbound products move through the port of Honolulu, and any prolonged interruption of the port's operation could quickly create severe commodity shortages and cascading consequences for the State. Your Committee further finds that the Regional Resiliency Assessment Program's (RRAP) Resiliency Assessment report found that Hawaii will need to update and create a robust alternative port and Reverse Hub and Spoke plan and consider significant investments in resiliency-related infrastructure upgrades across the State. Your Committee believes that addressing the key findings in the Resiliency Assessment report and planning resiliency enhancements will better inform the State and its key maritime stakeholders regarding alternate emergency maritime options. This measure will assist in the creation of more robust plans to ensure the quality of critical infrastructure and allow the State to better prepare for, respond to, and recover from a catastrophic incident affecting maritime transportation systems.

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 and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 101, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 101, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1671 Public Safety and Intergovernmental and Military Affairs on S.R. No. 111**

The purpose and intent of this measure is to request the Hawaii Emergency Management Agency, in conjunction with the Harbors Division of the Department of Transportation, to establish a two-year task force to address the key findings of the July 2022 Resiliency Assessment report of the Hawaii Maritime Transportation Regional Resiliency Assessment Program Project and plan for related resiliency enhancements.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency and Department of Transportation.

Your Committee finds that Hawaii's maritime transportation system is vital to the State's supply chains, with the port of Honolulu being a crucial part of the maritime transportation system. Approximately eighty percent of all inbound products move through the port of Honolulu, and any prolonged interruption of the port's operation could quickly create severe commodity shortages and cascading consequences for the State. Your Committee further finds that the Regional Resiliency Assessment Program's (RRAP) Resiliency Assessment report found that Hawaii will need to update and create a robust alternative port and Reverse Hub and Spoke plan and consider significant investments in resiliency-related infrastructure upgrades across the State. Your Committee believes that addressing the key findings in the Resiliency Assessment report and planning resiliency enhancements will better inform the State and its key maritime stakeholders regarding alternate emergency maritime options. This measure will assist in the creation of more robust plans to ensure the quality of critical infrastructure and allow the State to better prepare for, respond to, and recover from a catastrophic incident affecting maritime transportation systems.

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 and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 111, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 111, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1672 Education on S.C.R. No. 56**

The purpose and intent of this measure is to request the Board of Education to review various programs and subject matter areas for implementation in public schools.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the Board of Education has a constitutional mandate to formulate statewide educational policy over the public school system set forth by Article X, Section 3, of the Hawaii State Constitution. However, for the Department of Education to

fulfill its responsibility to provide high quality education to Hawaii's keiki, reliable transportation to and from campuses is needed to allow every student to achieve their academic goals. Providing access to reliable transportation, such as bicycles, through a bicycle grant program will allow more students to commute to school while reducing tardiness and absenteeism.

Your Committee also finds that providing an education fit for twenty-first century issues will prepare students for life experiences in the advent of technological advancements. With the proliferation of social media platforms, artificial intelligence, and constant flows of information, distinguishing between facts and misinformation will allow students to make informed decisions about the world around them. Additionally, media literacy programs, in conjunction with civic education, will allow students to more productively participate in their local communities while also being aware of the digital world and its impact on their personal lives and communities.

Your Committee further finds that some critical life skills and educational opportunities may not be readily available at Department of Education schools. For example, financial literacy and American Sign Language are two subjects that provide greater accessibility for all students in the public school system. However, without experiences that provide direct impact to students, there are seldom opportunities to learn or pursue knowledge and skills in these areas. This measure provides Hawaii's keiki with high quality educational experiences beyond traditional academic curriculum to ensure success for Hawaii's future generations.

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. 56 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1673 Education on S.C.R. No. 34**

The purpose and intent of this measure is to urge the Department of Education to create a priority list for repairing public school fire alarm systems.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that properly functioning fire alarm systems are essential for public school safety. Accordingly, the National Fire Protection Association Life Safety Code requires schools to have functioning fire alarm systems. Your Committee notes that twenty percent of Hawaii's two hundred fifty-seven public schools are more than one hundred years old, and at greater risk for severe fire damage. On certain campuses, such as King Intermediate School on Oahu and Konawaena Elementary School on Hawaii Island, fire alarm systems were out of service for several years, posing a significant risk to students, faculty, and staff in the event of a fire. As properly functioning fire alarms can be the difference between life and death, this measure addresses safety concerns at public schools to ensure the safety of occupants and prevent significant structural damage.

Your Committee has amended this measure by:

- (1) Urging the Department of Education to also consider acceptable alternatives to school fire alarm systems; and
- (2) Amending its title in accordance with its amended purpose.

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, 5. Noes, none. Excused, none.

**SCRep. 1674 Education on S.R. No. 28**

The purpose and intent of this measure is to urge the Department of Education to create a priority list for repairing public school fire alarm systems.

Your Committee did not receive any testimony on this measure.

Your Committee finds that properly functioning fire alarm systems are essential for public school safety. Accordingly, the National Fire Protection Association Life Safety Code requires schools to have functioning fire alarm systems. Your Committee notes that twenty percent of Hawaii's two hundred fifty-seven public schools are more than one hundred years old, and at greater risk for severe fire damage. On certain campuses, such as King Intermediate School on Oahu and Konawaena Elementary School on Hawaii Island, fire alarm systems were out of service for several years, posing a significant risk to students, faculty, and staff in the event of a fire. As properly functioning fire alarms can be the difference between life and death, this measure addresses safety concerns at public schools to ensure the safety of occupants and prevent significant structural damage.

Your Committee has amended this measure by:

- (1) Urging the Department of Education to also consider acceptable alternatives to school fire alarm systems; and
- (2) Amending its title in accordance with its amended purpose.

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



**SCRep. 1675 Education on S.C.R. No. 210**

The purpose and intent of this measure is to request the Board of Education to report on ways to increase access to extended learning opportunities or course credits for non-traditional and external learning experiences.

Your Committee received testimony in support of this measure from HawaiiKidsCAN and one individual.

Your Committee finds that the traditional curriculum and credit system that comprise of a high school diploma, with a primary focus on “four core” subjects of English language arts, mathematics, social studies, and science, has not been substantially modified in several decades. However, there has been a recent rise of meaningful, personalized, and high-leverage learning opportunities commonly referred to as expanded or extended learning opportunities, which offer students credit toward graduation upon completion of out-of-school programs. Extended learning opportunities provide students with education that is not confined to a classroom or textbook; rather, students gain meaningful experience through different avenues such as internships, capstones, independent inquiries, online coursework, and community service.

Your Committee further finds that providing Hawaii’s students with options to learn from different sources through varied delivery methods generates a high level of engagement in students that will prepare them for life beyond high school and their chosen career path. While the Department of Education offers flexible learning opportunities through the Alternative Learning Programs Branch for at-promise students, improving access to extended learning opportunities may address ongoing issues of disengagement in student learning. Accordingly, this measure encourages the creation of additional non-traditional educational opportunities to provide students with creative, innovative, and engaging learning experiences during their academic careers.

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. 210 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1676 Education on S.R. No. 150**

The purpose and intent of this measure is to request the Board of Education to report on ways to increase access to extended learning opportunities or course credits for non-traditional and external learning experiences.

Your Committee received testimony in support of this measure from HawaiiKidsCAN and two individuals.

Your Committee finds that the traditional curriculum and credit system that comprise of a high school diploma, with a primary focus on “four core” subjects of English language arts, mathematics, social studies, and science, has not been substantially modified in several decades. However, there has been a recent rise of meaningful, personalized, and high-leverage learning opportunities commonly referred to as expanded or extended learning opportunities, which offer students credit toward graduation upon completion of out-of-school programs. Extended learning opportunities provide students with education that is not confined to a classroom or textbook; rather, students gain meaningful experience through different avenues such as internships, capstones, independent inquiries, online coursework, and community service.

Your Committee further finds that providing Hawaii’s students with options to learn from different sources through varied delivery methods generates a high level of engagement in students that will prepare them for life beyond high school and their chosen career path. While the Department of Education offers flexible learning opportunities through the Alternative Learning Programs Branch for at-promise students, improving access to extended learning opportunities may address ongoing issues of disengagement in student learning. Accordingly, this measure encourages the creation of additional non-traditional educational opportunities to provide students with creative, innovative, and engaging learning experiences during their academic careers.

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. 150 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1677 (Joint) Education and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 40**

The purpose and intent of this measure is to request the Department of Education, in collaboration with the Honolulu Police Department, to establish and operate a Junior Police Pilot Program at Farrington High School.

Your Committees received testimony in support of this measure from one individual. Your Committees received comments on this measure from the Department of Education.

Your Committees find that the Honolulu Police Department is suffering from a chronic staffing shortage, with three hundred forty-nine vacancies as of May 2022. For shifts in certain districts such as Department District 1, which includes Downtown Honolulu, Chinatown, and Kakaako, staffing is only at seventy-seven percent. Staffing shortages limit the time police officers have to work with the community, preventing officers from building deep relationships with community members and business owners.

Your Committees further find that the Honolulu Police Department is highly selective in its recruitment efforts to ensure that only the best, most qualified candidates become police officers that serve and protect local communities. However, in the last two years, approximately five percent of the thousands of applicants who signed up to take the police entrance exam became police recruits. By expanding the overall pool of quality applicants through a Junior Police Pilot Program, the Honolulu Police Department could more quickly fulfill critical staffing shortages to best serve Oahu’s communities.

Your Committees have amended this measure by:

- (1) Deleting language that would have requested the Department of Education, in collaboration with the Honolulu Police Department, to establish and operate a Junior Police Pilot Program at Farrington High School;
- (2) Inserting language requesting the Honolulu Police Department, in conjunction with the Department of Education, to establish and operate a Junior Police Pilot Program at Department of Education high schools;
- (3) Removing the Principal of Farrington High School from the list of certified copy recipients; and
- (4) Amending its title in accordance with its amended purpose.

As affirmed by the records of votes of the members of your Committees on Education and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 40, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 40, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1678 (Joint) Education and Public Safety and Intergovernmental and Military Affairs on S.R. No. 34**

The purpose and intent of this measure is to request the Department of Education, in collaboration with the Honolulu Police Department, to establish and operate a Junior Police Pilot Program at Farrington High School.

Your Committee received testimony in support of this measure from two individuals.

Your Committees find that the Honolulu Police Department is suffering from a chronic staffing shortage, with three hundred forty-nine vacancies as of May 2022. For shifts in certain districts such as Department District 1, which includes Downtown Honolulu, Chinatown, and Kakaako, staffing is only at seventy-seven percent. Staffing shortages limit the time police officers have to work with the community, preventing officers from building deep relationships with community members and business owners.

Your Committees further find that the Honolulu Police Department is highly selective in its recruitment efforts to ensure that only the best, most qualified candidates become police officers that serve and protect local communities. However, in the last two years, approximately five percent of the thousands of applicants who signed up to take the police entrance exam became police recruits. By expanding the overall pool of quality applicants through a Junior Police Pilot Program, the Honolulu Police Department could more quickly fulfill critical staffing shortages to best serve Oahu's communities.

Your Committees have amended this measure by:

- (1) Deleting language that would have requested the Department of Education, in collaboration with the Honolulu Police Department, to establish and operate a Junior Police Pilot Program at Farrington High School;
- (2) Inserting language requesting the Honolulu Police Department, in conjunction with the Department of Education, to establish and operate a Junior Police Pilot Program at Department of Education high schools;
- (3) Removing the Principal of Farrington High School from the list of certified copy recipients; and
- (4) Amending its title in accordance with its amended purpose.

As affirmed by the records of votes of the members of your Committees on Education and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 34, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 34, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1679 Agriculture and Environment on S.C.R. No. 57**

The purpose and intent of this measure is to urge the City and County of Honolulu to exempt from real property tax those property owners of residential units within one-half mile of an active municipal solid waste landfill or construction.

Your Committee received testimony in support of this measure from the Iron Workers Stabilization Fund and four individuals.

Your Committee finds that studies have shown evidence of significant health impacts for those living up to two miles away from an active landfill depending on geography, micro-climates, and local mitigation efforts. Your Committee further finds that those living within one-half mile of an active municipal solid waste landfill or a construction and demolition landfill, presumably those most impacted by any negative health effects, would benefit from funds made available from a property tax exemption to address their individual safety and health. Therefore, this measure urges the City and County of Honolulu to exempt from real property tax those property owners of residential units within one-half mile of an active municipal solid waste landfill or construction and demolition landfill.

Your Committee has amended this measure by:

- (1) Including information concerning evidence of negative health impacts for people living up to two miles from an active landfill;
- (2) Including information concerning the types of health problems experienced by residents living near active landfills;
- (3) Including information concerning the added economic costs of living near an active landfill;

- (4) Urging the City and County of Honolulu to provide a real property tax exemption for property owners of residential units outside of one-half mile of an active landfill that it deems to have been impacted by a landfill to a degree that would warrant an exemption; and
- (5) Amending its title to reflect its amended purpose.

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, 5. Noes, none. Excused, none.

**SCRep. 1680 Agriculture and Environment on S.R. No. 51**

The purpose and intent of this measure is to urge the City and County of Honolulu to exempt from real property tax those property owners of residential units within one-half mile of an active municipal solid waste landfill or construction.

Your Committee received testimony in support of this measure from the Iron Workers Stabilization Fund and four individuals.

Your Committee finds that studies have shown evidence of significant health impacts for those living up to two miles away from an active landfill depending on geography, micro-climates, and local mitigation efforts. Your Committee further finds that those living within one-half mile of an active municipal solid waste landfill or a construction and demolition landfill, presumably those most impacted by any negative health effects, would benefit from funds made available from a property tax exemption to address their individual safety and health. Therefore, this measure urges the City and County of Honolulu to exempt from real property tax those property owners of residential units within one-half mile of an active municipal solid waste landfill or construction and demolition landfill.

Your Committee has amended this measure by:

- (1) Including information concerning evidence of negative health impacts for people living up to two miles from an active landfill;
- (2) Including information concerning the types of health problems experienced by residents living near active landfills;
- (3) Including information concerning the added economic costs of living near an active landfill;
- (4) Urging the City and County of Honolulu to provide a real property tax exemption for property owners of residential units outside of one-half mile of an active landfill that it deems to have been impacted by a landfill to a degree that would warrant an exemption; and
- (5) Amending its title to reflect its amended purpose.

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. 51, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 51, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1681 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 35**

The purpose and intent of this measure is to request the Hawaii County Department of Water Supply to convene a working group to examine opportunities for increasing water access and strengthening water infrastructure for underserved communities on Hawaii island.

Your Committee received no testimony on this measure.

Your Committee finds that a lack of access to a consistent water supply prevents the development of basic infrastructure in rural and remote areas, such as the establishment of public schools, medical and community health centers, grocery stores, and financial institutions. To address these issues, the Hawaii County Department of Water Supply launched the Hawaiian Ocean View Estates Water Facilities Project in Ocean View in 2012, which involved the construction of a standpipe well for the community. Despite the establishment of the well, water access remains a significant challenge for residents of Ocean View, Milolii, and neighboring communities, most of whose residents continue to rely on catchment systems. This measure will help to increase water access and strengthen water infrastructure for underserved communities on Hawaii Island.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 35 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1682 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 30**

The purpose and intent of this measure is to request each county to adopt an ordinance requiring, as a condition of its approval of a subdivision or issuance of a building permit for any new structure or unit within a structure, the subdivider or developer to obtain assurance of mail delivery to each parcel.

Your Committee received no testimony on this measure.

Your Committee finds that in many rural areas, the United States Postal Service does not deliver mail to the doorstep of each lot, parcel, structure, or unit even with a street address, and instead makes deliveries to a specific location from which residents in the area can retrieve their mail, including individual post office boxes at local post offices and cluster box units that serve multiple addresses within the area. However, in such rural areas, residents rely on mail-order deliveries, but the rural post offices cannot handle the influx of parcels as shown by lines of residents waiting hours for parcel delivery. In Hawaii, certain property development projects, including subdivisions in rural areas, lack the sufficient number of post office boxes and cluster box units to serve all residents in the area, thereby requiring some to drive over an hour to retrieve their mail from a friend or family member residing within the United States Postal Service's service area to whom they had their mail sent in care of. Your Committee believes that people in Hawaii should be able to receive their mail and parcel deliveries at a location that is within a reasonable distance from their residence. This measure will help residents of rural and underserved communities in the State to more easily access their mail.

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 and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 30, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 30, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1683 Public Safety and Intergovernmental and Military Affairs on S.R. No. 24**

The purpose and intent of this measure is to request each county to adopt an ordinance requiring, as a condition of its approval of a subdivision or issuance of a building permit for any new structure or unit within a structure, the subdivider or developer to obtain assurance of mail delivery to each parcel.

Your Committee received no testimony on this measure.

Your Committee finds that in many rural areas, the United States Postal Service does not deliver mail to the doorstep of each lot, parcel, structure, or unit even with a street address, and instead makes deliveries to a specific location from which residents in the area can retrieve their mail, including individual post office boxes at local post offices and cluster box units that serve multiple addresses within the area. However, in such rural areas, residents rely on mail-order deliveries, but the rural post offices cannot handle the influx of parcels as shown by lines of residents waiting hours for parcel delivery. In Hawaii, certain property development projects, including subdivisions in rural areas, lack the sufficient number of post office boxes and cluster box units to serve all residents in the area, thereby requiring some to drive over an hour to retrieve their mail from a friend or family member residing within the United States Postal Service's service area to whom they had their mail sent in care of. Your Committee believes that people in Hawaii should be able to receive their mail and parcel deliveries at a location that is within a reasonable distance from their residence. This measure will help residents of rural and underserved communities in the State to more easily access their mail.

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 and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 24, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 24, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1684 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 44**

The purpose and intent of this measure is to urge the Hawaii Emergency Management Agency to include in all live and recorded emergency alert system video broadcasts, an on-screen interpreter disseminating the emergency information in American Sign Language at all times, including during graphic presentations.

Your Committee received no testimony on this measure.

Your Committee finds that the Hawaii Emergency Management Agency manages Hawaii's Emergency Alert System (EAS) to allow the President of the United States the capability to address the American public during a national emergency. Hawaii's EAS is also used by state and local authorities to deliver important emergency information, including America's Missing: Broadcast Emergency Response (AMBER) alerts, the National Weather Service's emergency weather alerts and advisories, and, upon eruptions of volcanoes, volcano alert levels, aviation threat levels, seismic activity levels, lava flow, and other threats to the community. Your Committee believes that, due to the critical nature of EAS alerts and warnings, and to prevent confusion caused by misinformation, lack of information, or difficulty in finding accurate information following sudden disasters, EAS broadcasts should be provided using every communication tool available. This measure will ensure that Hawaii residents who are deaf or hard of hearing are not deprived of emergency information that is imperative for the protection of their lives and 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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 44, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 44, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1685 Public Safety and Intergovernmental and Military Affairs on S.R. No. 39**

The purpose and intent of this measure is to urge the Hawaii Emergency Management Agency to include in all live and recorded emergency alert system video broadcasts, an on-screen interpreter disseminating the emergency information in American Sign Language at all times, including during graphic presentations.

Your Committee received no testimony on this measure.

Your Committee finds that the Hawaii Emergency Management Agency manages Hawaii's Emergency Alert System (EAS) to allow the President of the United States the capability to address the American public during a national emergency. Hawaii's EAS is also used by state and local authorities to deliver important emergency information, including America's Missing: Broadcast Emergency Response (AMBER) alerts, the National Weather Service's emergency weather alerts and advisories, and, upon eruptions of volcanoes, volcano alert levels, aviation threat levels, seismic activity levels, lava flow, and other threats to the community. Your Committee believes that, due to the critical nature of EAS alerts and warnings, and to prevent confusion caused by misinformation, lack of information, or difficulty in finding accurate information following sudden disasters, EAS broadcasts should be provided using every communication tool available. This measure will ensure that Hawaii residents who are deaf or hard of hearing are not deprived of emergency information that is imperative for the protection of their lives and 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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 39, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 39, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1686 Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 220**

The purpose and intent of this measure is to urge the County of Maui to immediately and substantially increase the fines assessed against predatory cosmetics establishments for violating the Maui County Historic Districts Ordinance.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce and two individuals.

Your Committee finds that numerous predatory cosmetics stores have continued to operate on Front Street in Lahaina, Maui, and continue to engage in marketing techniques that are considered to be disrespectful, inconsiderate, and aggressive in nature, thus creating an intimidating atmosphere for residents and visitors alike. To address these issues, the Maui County Charter was successfully amended in 2022 to remove the generally applicable \$1,000 cap on civil fines, thereby allowing the County to substantially increase the amount of fines that may be levied against these cosmetics stores, for the purpose of imposing fines in amounts that represent a realistic financial deterrent to future violations. Your Committee believes that significant increases in the fine amounts imposed on violators would also provide the County of Maui with more funding to establish additional inspector positions to consistently enforce county ordinances. This measure will encourage the County of Maui to take stronger action against predatory businesses that violate state laws and county ordinances prohibiting harassment and soliciting business on a sidewalk located in a historic district.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 220 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1687 Public Safety and Intergovernmental and Military Affairs on S.R. No. 158**

The purpose and intent of this measure is to urge the County of Maui to immediately and substantially increase the fines assessed against predatory cosmetics establishments for violating the Maui County Historic Districts Ordinance.

Your Committee received testimony in support of this measure from the LahainaTown Action Committee and thirteen individuals.

Your Committee finds that numerous predatory cosmetics stores have continued to operate on Front Street in Lahaina, Maui, and continue to engage in marketing techniques that are considered to be disrespectful, inconsiderate, and aggressive in nature, thus creating an intimidating atmosphere for residents and visitors alike. To address these issues, the Maui County Charter was successfully amended in 2022 to remove the generally applicable \$1,000 cap on civil fines, thereby allowing the County to substantially increase the amount of fines that may be levied against these cosmetics stores, for the purpose of imposing fines in amounts that represent a realistic financial deterrent to future violations. Your Committee believes that significant increases in the fine amounts imposed on violators would also provide the County of Maui with more funding to establish additional inspector positions to consistently enforce county ordinances. This measure will encourage the County of Maui to take stronger action against predatory businesses that violate state laws and county ordinances prohibiting harassment and soliciting business on a sidewalk located in a historic district.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 158 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1688 (Joint) Public Safety and Intergovernmental and Military Affairs and Labor and Technology on S.C.R. No. 179**

The purpose and intent of this measure is to urge Congress to begin a discussion considering the benefits and risks of artificial intelligence technologies.

Your Committees received testimony in support of this measure from one individual.

Your Committees find that while artificial intelligence (AI) has the potential to bring enormous benefits to society, it also poses several potential dangers that must be taken seriously. Your Committees believe that it is essential to carefully consider these risks and take steps to mitigate them by taking action, such as investing in research on the social and ethical implications of AI, developing robust standards and regulations to ensure the safe and responsible use of AI, and promoting transparency and accountability in the development and deployment of AI systems. This measure will alert policymakers to the power and potential dangers of AI technologies and promote the evaluation of potential, necessary checks on AI technology.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Labor and Technology that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 179 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

**SCRep. 1689 (Joint) Public Safety and Intergovernmental and Military Affairs and Labor and Technology on S.R. No. 123**

The purpose and intent of this measure is to urge Congress to begin a discussion considering the benefits and risks of artificial intelligence technologies.

Your Committees received testimony in support of this measure from one individual.

Your Committees find that while artificial intelligence (AI) has the potential to bring enormous benefits to society, it also poses several potential dangers that must be taken seriously. Your Committees believe that it is essential to carefully consider these risks and take steps to mitigate them by taking action, such as investing in research on the social and ethical implications of AI, developing robust standards and regulations to ensure the safe and responsible use of AI, and promoting transparency and accountability in the development and deployment of AI systems. This measure will alert policymakers to the power and potential dangers of AI technologies and promote the evaluation of potential, necessary checks on AI technology.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Labor and Technology that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 123 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Labor and Technology: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

**SCRep. 1690 Commerce and Consumer Protection on S.C.R. No. 48**

The purpose and intent of this measure is to request the Insurance Division of the Department of Commerce and Consumer Affairs to conduct a study analyzing whether implementation of a captive insurance system in the State that is modeled after Massachusetts' captive insurance system would adequately and appropriately address the State's residential condominium property insurance needs.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which requests the Department of Commerce and Consumer Affairs to:

- (1) Conduct a survey of the applicable association of apartment owners for each of the three hundred nine condominium properties that are subject to the requirements of Honolulu Ordinances Nos. 19-4 and 22-2 to determine certain information relating to condominium insurance and fire safety measures;
- (2) Compile the information received from the survey responses and submit to the Legislature an interim report containing the compiled information; and
- (3) Submit to the Legislature a final report of its findings and recommendations, including any proposed legislation, regarding the appropriate scope of a study analyzing whether implementation of a captive insurance system in the State that is modeled after the captive insurance system of Massachusetts would adequately and appropriately address the State's residential condominium property insurance needs.

Your Committee received testimony in support of this measure or the proposed S.D. 1 from the Department of Commerce and Consumer Affairs, Hawaii Council of Association of Apartment Owners, and seven individuals. Your Committee received comments on this measure or the proposed S.D. 1 from the Insurance Division of the Department of Commerce and Consumer Affairs, Hui 'Oia'i'o, and one individual.

Your Committee finds that associations of apartment owners throughout the State have faced steep increases in residential condominium property insurance premiums since 2021. The increases are due in part to City and County of Honolulu ordinances Nos. 19-4 and 22-2, which require the installation of automatic fire sprinkler systems in certain residential condominium buildings. Although an association of apartment owners may opt-out of the sprinkler installation requirements if the association of apartment owners pursues other fire safety improvements, insurance rates have escalated sharply for almost all residential condominium properties regardless of whether a condominium property has received an acceptable fire safety score. Massachusetts' approach to captive insurance may provide an alternative to traditional condominium property insurance at a time when insurance offered by major

Hawaii insurers is increasingly becoming unaffordable for many homeowners and associations of apartment owners. This measure requests the Department of Commerce and Consumer Affairs to conduct a survey of certain associations of apartment owners and research whether implementing a captive insurance system similar to Massachusetts could help solve the issue of rising insurance costs in the State.

Your Committee notes the Department of Commerce and Consumer Affairs' willingness to work with relevant stakeholders in an effort to collect the requested survey data in the six-month period requested by this measure.

Your Committee has amended this measure by adopting the proposed S.D. 1, including the amended title of this measure.

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. 48, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 48, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1691 Commerce and Consumer Protection on S.C.R. No. 85**

The purpose and intent of this measure is to request the Department of Health to provide an explanation as to why it has not issued any additional medical cannabis dispensary licenses pursuant to section 329D-2(j), Hawaii Revised Statutes.

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

Your Committee finds that chapter 329D, Hawaii Revised Statutes, limits the amount of medical cannabis dispensary licenses the Department of Health can issue statewide. However, the Department of Health is authorized to issue additional medical cannabis dispensary licenses after October 1, 2018, under certain conditions. Despite applications filed by numerous entities for issuance of these additional medical cannabis dispensary licenses, the Department of Health has not issued any additional licenses and has stopped accepting new applications. This measure requests the Department of Health to explain why it has not issued any additional medical cannabis dispensary licenses.

Your Committee notes that the Department of Health testified that the reason it has not issued additional medical cannabis dispensary licenses is because the current dispensary system is not yet operating at its maximum capacity. Additionally, several measures were introduced during the Regular Session of 2023 that would have legalized recreational cannabis; however, all of them have been deferred or failed to receive a hearing. Thus, this measure would be of greater service to reconstitute a dual use of cannabis working group to address remaining concerns with measures legalizing recreational cannabis.

Accordingly, your Committee has amended this measure by deleting its contents and inserting language requesting the Office of Medical Cannabis Control and Regulation, in collaboration with the Chairpersons of the Senate Standing Committee on Health and Human Services and House of Representatives Standing Committee on Health and Homelessness, to convene the Medical and Adult Use Cannabis Working Group to research, develop, and finalize recommendations for the creation of a dual use regulatory system allowing access to medical cannabis and cannabis for adult use.

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. 85, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 85, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1692 Commerce and Consumer Protection on S.R. No. 76**

The purpose and intent of this measure is to request the Department of Health to provide an explanation as to why it has not issued any additional medical cannabis dispensary licenses pursuant to section 329D-2(j), Hawaii Revised Statutes.

Your Committee did not receive any testimony on this measure.

Your Committee finds that chapter 329D, Hawaii Revised Statutes, limits the amount of medical cannabis dispensary licenses the Department of Health can issue statewide. However, the Department of Health is authorized to issue additional medical cannabis dispensary licenses after October 1, 2018, under certain conditions. Despite applications filed by numerous entities for issuance of these additional medical cannabis dispensary licenses, the Department of Health has not issued any additional licenses and has stopped accepting new applications. This measure requests the Department of Health to explain why it has not issued any additional medical cannabis dispensary licenses.

Your Committee notes that the Department of Health testified that the reason it has not issued additional medical cannabis dispensary licenses is because the current dispensary system is not yet operating at its maximum capacity. Additionally, several measures were introduced during the Regular Session of 2023 that would have legalized recreational cannabis; however, all of them have been deferred or failed to receive a hearing. Thus, this measure would be of greater service to reconstitute a dual use of cannabis working group to address remaining concerns with measures legalizing recreational cannabis.

Accordingly, your Committee has amended this measure by deleting its contents and inserting language requesting the Office of Medical Cannabis Control and Regulation, in collaboration with the Chairpersons of the Senate Standing Committee on Health and Human Services and House of Representatives Standing Committee on Health and Homelessness, to convene the Medical and Adult Use Cannabis Working Group to research, develop, and finalize recommendations for the creation of a dual use regulatory system allowing access to medical cannabis and cannabis for adult use.

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. 76, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 76, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1693 (Joint) Commerce and Consumer Protection and Health and Human Services on S.C.R. No. 94**

The purpose and intent of this measure is to urge retail stores and pharmacies doing business in the State to adopt policies on a national and local level to guarantee an individual's unhindered access to all United States Food and Drug Administration-approved contraceptives.

Your Committees received testimony in support of this measure from AlohaCare, Planned Parenthood Alliance Advocates, and one individual. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the benefits of contraception are widely recognized and include improved health and well-being, reduced global maternal mortality, health benefits of pregnancy spacing for maternal and child health, female engagement in the work force, and economic self-sufficiency for women. According to the 2020 Hawaii Pregnancy Risk Assessment Monitoring System report, between 2012 and 2016, approximately forty-seven percent of all pregnancies in Hawaii were unintended. The women most likely to have an unintended pregnancy in the State were Native Hawaiian, Filipino, or Pacific Islander; those under twenty years of age, unmarried, and insured through Medicaid or uninsured before pregnancy; those who had three or more previous live births; or those who were at or below one hundred percent of the federal poverty level. One issue contributing to unintended pregnancies is lack of access to contraception, which includes availability, affordability, insurance coverage, transportation, and convenience. This measure urges stores and pharmacies to guarantee individuals' access to contraceptives approved by the Food and Drug Administration, thus improving women's health.

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 and Human Services 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.  
Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.  
Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 1694 Commerce and Consumer Protection on S.C.R. No. 124**

The purpose and intent of this measure is to urge the Real Estate Commission to develop policies and programs to inform and educate condominium association unit owners and board members of certain matters to promote the efficient administration of condominium associations.

Your Committee received testimony in support of this measure from the Real Estate Commission, Hui 'Oia'i'o, Hawaii Council of Associations of Apartment Owners, and seven individuals.

Your Committee finds that a condominium's association is comprised of its unit owners. The association's duties and powers are outlined in section 514B-104, Hawaii Revised Statutes, and the association must comply with its governing declaration, bylaws, house rules, and policies. Each year, association unit owners elect board members to manage their condominium's operations; pay assessments for the operation, repair, and maintenance of their condominiums; and fund reserves for deferred maintenance. Chapter 514B, Hawaii Revised Statutes, provides that every director owes the association a fiduciary duty in the performance of the director's duties, as confidence, trust, and reliance of one party is placed upon the judgment of another. Some board members may be unaware or unfamiliar with certain laws or rules, may not fully understand or may misinterpret their provisions, or misunderstand their duties or responsibilities, leading to frustration, hostility, and conflict. The State's Real Estate Commission is required to manage the Condominium Education Trust Fund to promote, among other things, education and research in condominium management, the improvement and more efficient administration of associations, and the expeditious and inexpensive resolution of association disputes. This measure urges the Real Estate Commission to use the Condominium Education Trust Fund to develop policies and programs to inform and educate condominium association unit owners and board members of certain matters to promote the efficient administration of condominium associations.

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. 124 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1695 Commerce and Consumer Protection on S.C.R. No. 15**

The purpose and intent of this measure is to request the Auditor to assess both the social and financial effects of proposed mandated health insurance coverage for a percentage of the costs of ketamine therapy to treat depression.

Your Committee received testimony in support of this measure from Beyond Mental Health and five individuals. Your Committee received comments on this measure from the Office of the Auditor.

Your Committee finds 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. 279, introduced in the Regular Session of 2023, mandates that private and public health plans in the State provide coverage for ketamine therapy to treat depression. Accordingly, this measure requests the Auditor to conduct a social and financial assessment of the proposed mandatory health insurance coverage as set forth in Senate Bill No. 279, in accordance with the requirements of State law.

Your Committee has amended this measure by:

- (1) Inserting references to Senate Bill No. 279, Regular Session of 2023, where necessary; 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 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. Noes, none. Excused, none.

**SCRep. 1696 Commerce and Consumer Protection on S.C.R. No. 131**

The purpose and intent of this measure is to request the Regulated Industries Complaints Office (RICO) to report the itemized total amount of fines or judgments collected and uncollected each year, from 1983 to present, and to include that information in the Director of the Department of Commerce and Consumer Affairs’ (DCCA) Annual Compliance Fund Report.

Your Committee received comments on this measure from the Regulated Industries Complaints Office.

Your Committee finds that RICO is an enforcement agency within the DCCA that processes individual complaints involving persons who provide specialized trade or professional services to Hawaii consumers that require a license or certification from one of the professional or vocational boards established within the DCCA. RICO is authorized to sue members of the public if they provide consumers with services in a regulated industry without having first obtained the proper license required by law and can also pursue disciplinary action and sanctions against legitimate licensees if their conduct falls below professional or regulatory standards. The money RICO collects from the judgments, sanctions, and fines that it obtains or imposes are deposited into the Compliance Resolution Fund, along with other fees collected by DCCA, such as license issuance and renewal fees. The Director of Commerce and Consumer Affairs (Director) is authorized to use the moneys in the Compliance Resolution Fund for DCCA operations, hiring attorneys and hearing officers, training personnel, and any other activity related to compliance resolution. The Director is required to prepare and submit an annual report to the Governor and Legislature on the activity of the Compliance Resolution Fund. Although RICO collects fines and judgments each year, there are fines and judgments that go uncollected each year and in the interest of government transparency and efficiency, it is critical for the Governor and Legislature to be informed of the amount of fines and judgments that RICO collects, and what has gone uncollected, each year. Accordingly, this measure requests RICO to report the yearly total amount of fines or judgments collected and uncollected from 1983 to 2022 and to include the total collected and uncollected fines each year going forward in the Director’s annual Compliance Resolution Fund report.

Your Committee has amended this measure by making a technical, nonsubstantive amendment to its title 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. 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, 5. Noes, none. Excused, none.

**SCRep. 1697 (Joint) Commerce and Consumer Protection and Health and Human Services on S.C.R. No. 202**

The purpose and intent of this measure is to request the Auditor to conduct a sunrise analysis on mandating parity in vitro fertilization health insurance coverage for same-sex couples, unmarried women, and opposite-sex couples for whom male infertility is the relevant factor.

Your Committees received testimony in support of this measure from the Hawai’i Section of the American College of Obstetricians and Gynecologists, Fertility Institute of Hawaii, Stonewall Caucus of the Democratic Party of Hawai’i, and five individuals. Your Committees received comments on this measure from Hawaii Medical Service Association.

Your Committees finds 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. 993, introduced in the Regular Session of 2023, proposes to require health insurers and similar entities that provide coverage for in vitro fertilization procedures for certain married opposite-sex couples to provide parity coverage for same-sex couples, unmarried women, and opposite-sex couples for whom male infertility is the relevant factor. This measure requests the Auditor to conduct a social and financial assessment of the mandatory health insurance coverage proposed by Senate Bill No. 993 (2023), in accordance with section 23—51, Hawaii Revised Statutes.

Your Committees have amended this measure by:

- (1) Inserting references to Senate Bill No. 993 (2023), where necessary;

- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency; and
- (3) Amending its title accordingly.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 202, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 202, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

**SCRep. 1698 (Joint) Health and Human Services and Commerce and Consumer Protection on S.C.R. No. 188**

The purpose and intent of this measure is to urge the Department of Human Services' Med-QUEST Division to advocate that the State increase Medicaid reimbursements to dentists and, upon an increase approval, proactively inform both dental service providers and Medicaid beneficiaries of new rate plans and covered services.

Your Committees received testimony in support of this measure from the Hawai'i Public Health Institute and two individuals. Your Committees received comments on this measure from the Department of Human Services.

Your Committees find that in 2009, despite oral disease being a significant health problem that affects the overall health and well-being of many Hawaii residents, the State terminated coverage for all preventive and restorative dental care services for adult Medicaid recipients and reduced it to emergency-only care that is limited to pain relief, injuries, trauma, and tooth removal and extraction. In 2022, the Legislature approved funding to reinstate Medicaid dental care coverage for adult enrollees in the State for certain preventive, restorative, and denture procedures. According to testimony, nearly three hundred thousand Medicaid patients became eligible for this dental coverage beginning January 1, 2023. Your Committees find however, that the existing Medicaid reimbursement rates for dental care providers are lower than the actual cost of services, contributing to the significant shortage of dental care providers that provide the needed services to Medicaid patients, especially in rural and neighbor island communities. This measure will assist in promoting the recruitment and retention of dental care providers serving adult Medicaid enrollees in the State.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Commerce and Consumer Protection that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 188 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1699 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 222**

The purpose and intent of this measure is to request the Department of Land and Natural Resources to transfer to the County of Maui the makai lawn at the Lahaina Public Library.

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

Your Committees find that because the makai lawn adjacent to the Lahaina Public Library belongs to the State, the attractive site and location has sat unused, and members of the public have been foreclosed from obtaining permits to use the space for events. Your Committees believe that by transferring the makai lawn from the State to the County of Maui, the makai lawn can be restored and put to its highest and best use. Therefore, this measure requests the Department of Land and Natural Resources to transfer the makai lawn to the County of Maui.

As affirmed by the records of votes of the members of your Committees on Water and Land and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 222 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1700 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.R. No. 160**

The purpose and intent of this measure is to request the Department of Land and Natural Resources to transfer to the County of Maui the makai lawn at the Lahaina Public Library.

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

Your Committees find that because the makai lawn adjacent to the Lahaina Public Library belongs to the State, the attractive site and location has sat unused, and members of the public have been foreclosed from obtaining permits to use the space for events. Your Committees believe that by transferring the makai lawn from the State to the County of Maui, the makai lawn can be restored and put to its highest and best use. Therefore, this measure requests the Department of Land and Natural Resources to transfer the makai lawn to the County of Maui.

As affirmed by the records of votes of the members of your Committees on Water and Land and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 160 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1701 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.C.R. No. 221**

The purpose and intent of this measure is to urge the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources and the County of Maui to facilitate a state and county partnership for the management of all small boat harbors located on the island of Maui.

Your Committees received testimony in support of this measure from one member of the Maui County Council and the Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc. Your Committees received testimony in opposition to this measure from the Ocean Tourism Coalition. Your Committees received comments on this measure from the Department of Land and Natural Resources and Wailoa River and Reeds Bay Boating and Users Association.

Your Committees find that many of the small boat harbors on Maui have lingered in a continuous state of disrepair. Further, despite the State's inability to properly maintain the small boat harbors, your Committees find that the County of Maui has understandably remained reluctant to expend moneys for capital improvements as the harbor properties do not fall under its direct jurisdiction. Notwithstanding, this measure urges the State and the County of Maui to partner together to manage the small boat harbors on Maui in recognition of the fact that both parties have a responsibility to the public regardless of jurisdiction and that the continuing poor condition of the small boat harbors is unacceptable.

As affirmed by the records of votes of the members of your Committees on Water and Land and Public Safety and 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.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1702 (Joint) Water and Land and Public Safety and Intergovernmental and Military Affairs on S.R. No. 159**

The purpose and intent of this measure is to urge the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources and the County of Maui to facilitate a state and county partnership for the management of all small boat harbors located on the island of Maui.

Your Committees received testimony in support of this measure from one member of the Maui County Council and the Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc. Your Committees received testimony in opposition to this measure from the Ocean Tourism Coalition. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that many of the small boat harbors on Maui have lingered in a continuous state of disrepair. Further, despite the State's inability to properly maintain the small boat harbors, your Committees find that the County of Maui has understandably remained reluctant to expend moneys for capital improvements as the harbor properties do not fall under its direct jurisdiction. Notwithstanding, this measure urges the State and the County of Maui to partner together to manage the small boat harbors on Maui in recognition of the fact that both parties have a responsibility to the public regardless of jurisdiction and that the continuing poor condition of the small boat harbors is unacceptable.

As affirmed by the records of votes of the members of your Committees on Water and Land and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 159 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1703 (Joint) Water and Land and Housing on S.C.R. No. 162**

The purpose and intent of this measure is to request the Office of Planning and Sustainable Development to convene a multiagency working group to identify sites that have the collective capacity to accommodate ten thousand new homes per year, for the next fifty years.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Hawaii Community Development Authority, and two individuals. Your Committees received testimony in opposition to this measure from three individuals. Your Committees received comments on this measure from the Office of Planning and Sustainable Development.

Your Committees find that the State is experiencing an acute housing shortage and that, according to the Department of Business, Economic Development, and Tourism, the State will need approximately twenty-six thousand to forty-seven thousand new housing units before 2030 to meet critical housing demands. Your Committees also find that multiple state agencies are responsible for housing development in the State, and therefore a multiagency approach is essential to coordinate efforts and implement strategies to address the State's housing shortage. Your Committees recognize that the Hawaii State Planning Act (codified as chapter 226, Hawaii Revised Statutes) establishes a system for planning and multiagency coordination to increase the effectiveness of government and that, under the Act, the Office of Planning and Sustainable Development is charged with providing technical assistance to help administer the Act.

Your Committees further find that, under the Act, the State has outlined its objectives and policies relating to housing, which include, "to secure reasonably priced, safe, sanitary, livable homes located in suitable environments that satisfactorily accommodate the needs and desires of families and individuals". This measure requests the Office of Planning and Sustainable Development to convene

a multiagency working group to identify sites with the capacity to accommodate the additional housing necessary to ensure that the people of Hawaii will have access to safe, sanitary, and affordable places to live. Your Committees recognize that the Governor recently created the cabinet position of Chief Housing Officer to advise the Governor on policies for affordable housing and to develop, drive, and implement the Governor's housing initiatives and strategies for the State. Accordingly, your Committees believe that the Chief Housing Officer should be a member of the multiagency work group created by this measure.

Therefore, your Committees have amended this measure by adding language requesting that the Governor's Chief Housing Officer be a member of the multiagency working group.

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. 162, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 162, S.D. 1.

Signed by the Chairs on behalf of the Committees.  
Water and Land: Ayes, 5. Noes, none. Excused, none.  
Housing: Ayes, 4. Noes, none. Excused, 1 (Aquino).

**SCRep. 1704 (Joint) Water and Land and Housing on S.R. No. 188**

The purpose and intent of this measure is to request the Office of Planning and Sustainable Development to convene a multiagency working group to identify sites that have the collective capacity to accommodate ten thousand new homes per year, for the next fifty years.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Hawaii Community Development Authority. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Office of Planning and Sustainable Development.

Your Committees find that the State is experiencing an acute housing shortage and that, according to the Department of Business, Economic Development, and Tourism, the State will need approximately twenty-six thousand to forty-seven thousand new housing units before 2030 to meet critical housing demands. Your Committees also find that multiple state agencies are responsible for housing development in the State, and therefore a multiagency approach is essential to coordinate efforts and implement strategies to address the State's housing shortage. Your Committees recognize that the Hawaii State Planning Act (codified as chapter 226, Hawaii Revised Statutes) establishes a system for planning and multiagency coordination to increase the effectiveness of government and that, under the Act, the Office of Planning and Sustainable Development is charged with providing technical assistance to help administer the Act.

Your Committees further find that, under the Act, the State has outlined its objectives and policies relating to housing, which include, "to secure reasonably priced, safe, sanitary, livable homes located in suitable environments that satisfactorily accommodate the needs and desires of families and individuals". This measure requests the Office of Planning and Sustainable Development to convene a multiagency working group to identify sites with the capacity to accommodate the additional housing necessary to ensure that the people of Hawaii will have access to safe, sanitary, and affordable places to live. Your Committees recognize that the Governor recently created the cabinet position of Chief Housing Officer to advise the Governor on policies for affordable housing and to develop, drive, and implement the Governor's housing initiatives and strategies for the State. Accordingly, your Committees believe that the Chief Housing Officer should be a member of the multiagency work group created by this measure.

Therefore, your Committees have amended this measure by adding language requesting that the Governor's Chief Housing Officer be a member of the multiagency working group.

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.R. No. 188, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 188, S.D. 1.

Signed by the Chairs on behalf of the Committees.  
Water and Land: Ayes, 5. Noes, none. Excused, none.  
Housing: Ayes, 4. Noes, none. Excused, 1 (Aquino).

**SCRep. 1705 (Joint) Public Safety and Intergovernmental and Military Affairs and Education on S.C.R. No. 70**

The purpose and intent of this measure is to urge the United States Congress to amend federal copyright law to explicitly protect current lending practices of nonprofit online libraries.

Your Committees received testimony in support of this measure from the Hawai'i State Public Library System.

Your Committees find that while traditional brick-and-mortar public libraries facilitate collective knowledge by acquiring books and lending those books to the public, free of charge, nonprofit online libraries work on this same principle in the virtual realm by acquiring and maintaining numerous hardcopies of books, scanning digital versions of those books, and lending those digital versions to the public, also free of charge. Your Committees note that despite the fact that the number of digital copies of a book that an online library lends out at any given time never exceeds the number of hardcopies of that book in the library's inventory, a number of major publishers claim that this lending system is in violation of copyright and are seeking relief in the case of *Hachette Book Group, Inc. v. Internet Archive*, which is pending before the United States District Court for the Southern District of New York. Your Committees believe that Congress should act to preserve nonprofit libraries and protect the flow of knowledge to the public. This measure will encourage Congress to amend copyright law to prevent a devastating impact to the patrons of nonprofit online libraries.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Education that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 70 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.  
Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.  
Education: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1706 Commerce and Consumer Protection on S.C.R. No. 147**

The purpose and intent of this measure is to request the Public Utilities Commission to move beyond current rate structures and provide additional benefits for those communities that host renewable energy projects.

Your Committee received testimony in support of this measure from the Sierra Club of Hawai'i. Your Committee received comments on this measure from the Department of Commerce and Consumer Protection and Public Utilities Commission.

Your Committee finds that the State's growing need for clean energy has accelerated the development and construction of different renewable energy projects in more locations around the State, creating new jobs and opportunities for "host communities." Although these projects may boost the local economy, residents living in a community that hosts a large-scale renewable energy project often face a disruption in their lives due to the burdens of the energy infrastructure. Residents of the State living in communities that host large-scale renewable energy projects are charged a flat rate for energy by their providers, regardless of their proximity to these energy-producing projects and benefit packages provided by developers to these communities are often not enough to provide them with fair compensation. Communities around the State should be encouraged to host more large-scale renewable energy projects. Favorable energy rates and the provision of direct benefits to host communities can help encourage community buy-in and investment. The Public Utilities Commission has the oversight of and authority to influence the rate structures of energy providers. Therefore, this measure supports the State's goals to advance energy equity and the timely transition to a renewable energy future. Your Committee further notes that the Public Utilities Commission has also been requested to examine providing retroactive benefits for communities that already host existing renewable energy projects.

Your Committee has amended this measure by:

- (1) Clarifying that the Public Utilities Commission is requested to revise, rather than move beyond, current rate structures for those communities that host renewable energy projects; and
- (2) Amending its title accordingly.

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. 147, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 147, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1707 Commerce and Consumer Protection on S.R. No. 143**

The purpose and intent of this measure is to request the Public Utilities Commission to move beyond current rate structures and provide additional benefits for those communities that host renewable energy projects.

Your Committee received testimony in support of this measure from the Sierra Club of Hawai'i. Your Committee received comments on this measure from the Department of Commerce and Consumer Protection and Public Utilities Commission.

Your Committee finds that the State's growing need for clean energy has accelerated the development and construction of different renewable energy projects in more locations around the State, creating new jobs and opportunities for "host communities." Although these projects may boost the local economy, residents living in a community that hosts a large-scale renewable energy project often face a disruption in their lives due to the burdens of the energy infrastructure. Residents of the State living in communities that host large-scale renewable energy projects are charged a flat rate for energy by their providers, regardless of their proximity to these energy-producing projects and benefit packages provided by developers to these communities are often not enough to provide them with fair compensation. Communities around the State should be encouraged to host more large-scale renewable energy projects. Favorable energy rates and the provision of direct benefits to host communities can help encourage community buy-in and investment. The Public Utilities Commission has the oversight of and authority to influence the rate structures of energy providers. Therefore, this measure supports the State's goals to advance energy equity and the timely transition to a renewable energy future. Your Committee further notes that the Public Utilities Commission has also been requested to examine providing retroactive benefits for communities that already host existing renewable energy projects.

Your Committee has amended this measure by:

- (1) Clarifying that the Public Utilities Commission is requested to revise, rather than move beyond, current rate structures for those communities that host renewable energy projects; and
- (2) Amending its title accordingly.

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. 143, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 143, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1708 Water and Land on Gov. Msg. No. 516**

Recommending that the Senate advise and consent to the nomination of the following:

CHAIRPERSON, DEPARTMENT OF LAND AND NATURAL RESOURCES

G.M. No. 516 DAWN CHANG, for a term to expire 12-31-2026

Your Committee reviewed the personal history, resume, and statement submitted by Dawn Chang for service as the Chairperson of the Board of Land and Natural Resources.

Your Committee received testimony in support of the nomination for the appointment of Ms. Chang from the Governor; Department of Land and Natural Resources; Department of Law Enforcement; Department of Health; Department of Budget and Finance; Department of Transportation; Department of Taxation; Department of Agriculture; Department of Human Services; Department of Labor and Industrial Relations; Department of Public Safety; Department of Hawaiian Home Lands; Land Use Commission; Office of Enterprise Technology Services; Agribusiness Development Corporation; Hawaii Public Housing Authority; Department of Planning of the County of Kaua'i; Kaho'olawe Island Reserve Commission; Hawaii State Aha Moku; Mayor of the County of Kaua'i; one member of Maui County Council; one member of the Hawai'i County Council; one former Chairperson of the Board of Land and Natural Resources; one District Judge of the Court of the First Circuit; one retired Associate Justice of the Hawaii Supreme Court; McCandless Ranch; Waikiki Improvement Association; Hawai'i Harbors Users Group; PonoHolo Ranch; Matson Navigation Company, Inc.; The Native Hawaiian Gathering Rights Association; Hawaii Cattlemen's Council, Inc.; Historic Hawai'i Foundation; Hawaii Reserves, Inc.; Hawaii Operating Engineers Industry Stabilization Fund Political Action Committee; Ko'olau Foundation; Young Brothers, LLC; Pacific Resource Partnership; Hui 'Oihana; General Contractors Association of Hawaii; Cates Marine Service, LLC; Parker Ranch; Hawai'i Forest Industry Association; Hawai'i Farm Bureau; Hawaii Foodservice Alliance LLC; Ulupono Initiative; Hawaii Fish Company Inc.; Kapāpala Ranch; Jas. W. Glover, Ltd.; Maui County Farm Bureau; Hawaii Regional Council of Carpenters; Association of Hawaiian Civic Clubs; ILWU Local 142 Hawaii Longshore Division; Par Hawaii; LavaRock Farm; and one hundred forty individuals. Your Committee received testimony in opposition to the nomination for the appointment of Ms. Chang from KAHEA; forty-eight individuals; two internet-based form letters signed by more than nine-hundred individuals; and one petition signed by fifty-six individuals. Your Committee received comments on the nomination for the appointment of Ms. Chang from the Friends of Hanaua Bay and four individuals.

Ms. Chang has served as the interim Chairperson of the Board of Land and Natural Resources since January 2023 and has demonstrated a seemingly effortless ability to absorb and embody her role as Chairperson. Within her first ninety days, Ms. Chang has shown her calm, efficient, and collaborative approach to tackling several highly-public challenges faced by the Department of Land and Natural Resources — including the grounding of two separate vessels on Maui and the harassment of a dolphin pod by thirty-three swimmers in Honaunau Bay, Hawaii island — proving her mettle and adaptiveness under pressure. Previously, Ms. Chang worked as the principal and owner of Ho'ākea LLC, a woman-owned, Native Hawaiian consulting firm that specialized in assisting both public and private sector clients to plan for and resolve culturally sensitive issues that may arise in the course of project development. Ms. Chang's deep understanding of Native Hawaiian rights, culture, and historic preservation issues allowed her to skillfully assist, not just her federal, state, and private clients, but the impacted community groups as well, mediating issues to encourage all parties to voice their concerns and find workable solutions. Your Committee finds that Ms. Chang's two decades of experience in carefully balancing the competing interests of both business and conservation make her well-suited for her role as Chairperson, especially as the State continues to grapple with both climate-related conservation issues and the need for affordable housing and agricultural self-sustainability.

Ms. Chang also served on the Land Use Commission for six years following the Senate's confirmations of her appointment and reappointment by then Governor Ige. During her tenure, Ms. Chang once again helped balance competing interests, helping to preserve and protect the State's lands by encouraging those uses to which lands are best suited. Prior to that, and especially relevant here, Ms. Chang served as a Deputy Attorney General for the Land and Transportation Division, where she gained substantial legal experience in the areas of real property, administrative law, Native Hawaiian issues, riparian rights, and environmental law. Before then, Ms. Chang served as an appellate law clerk for the Honorable Walter M. Heen at the Intermediate Court of Appeals. Before making the decision to attend law school, Ms. Chang was a social worker specializing in assisting Hawaiian children and families in rural communities. Ms. Chang received her Juris Doctorate from the William S. Richardson School of Law; she received her Masters Degree in Social Work and a Bachelors Degree in Sociology from the University of Hawai'i at Manoa. Ms. Chang is a member of the Hawaii State Bar Association and the Native Hawaiian Bar Association.

Your Committee believes that Ms. Chang, with her unique background in business, conservation, and land use, in addition to her over twenty years of experience working in contentious and culturally sensitive Native Hawaiian issues, possesses the requisite qualifications to serve as the Chairperson of the Board of Land and Natural Resources. Your Committee finds that Ms. Chang's leadership ability and her willingness to work with others, including those who disagree, make her the right person to enhance and build trust between the Department and the community. Your Committee further notes that Ms. Chang's prior experience makes her especially well-suited to fully carry out the purpose and intent of Act 90, Session Laws of Hawaii 2003, which was enacted to transfer certain public lands classified for agricultural use from the Department of Land and Natural Resources to the Department of Agriculture for the development of farms and homeownership. Your Committee also notes the significant and moving testimony in support of Ms. Chang, which spoke to Ms. Chang's character, integrity, and values. Therefore, your Committee recommends that Dawn Chang be appointed as the Chairperson of the Board of Land and Natural Resources based on her knowledge, experience, 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, 5; Ayes with Reservations (McKelvey). Noes, none. Excused, none.

**SCRep. 1709 Commerce and Consumer Protection on H.B. No. 973**

The purpose and intent of this measure is to repeal the requirement for additional rules by the Department of Agriculture to address nuisance issues, including smell, noise, and excessive lighting arising out of the activities of hemp growers.

Your Committee received testimony in support of this measure from the Hawai'i Farmers Union United, Hawai'i Hemp Famers Association, and one individual.

Your Committee finds that under existing law, the Department of Agriculture is tasked with enforcing restrictions regarding the impact to surrounding communities from growing hemp within the State. As part of this duty, the Department of Agriculture is also tasked with adopting rules to address nuisance issues such as smell, noise, and excessive lighting arising from hemp growing. However, the Department of Health and county land use ordinances already address these issues, and thus, Department of Agriculture rules can create conflicting standards that may be imposed by the Department of Health and counties. Therefore, this measure repeals the requirement that the Department of Agriculture make additional rules, removing any duplicative regulation that may increase the challenges to enforcement.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 973, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 973, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (McKelvey). Noes, none. Excused, none.

**SCRep. 1710 Ways and Means on H.B. No. 1004**

The purpose and intent of this measure is to appropriate moneys for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (5) and for their excluded counterparts for the 2023-2025 fiscal biennium.

Your Committee received written comments in support of this measure from the Department of Budget and Finance and Hawaii State Teachers Association.

Your Committee finds that the negotiations for the collective bargaining agreement for bargaining unit (5) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1004, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1004, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1711 Ways and Means on H.B. No. 1005**

The purpose and intent of this measure is to appropriate moneys 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 the 2023-2025 fiscal biennium.

Your Committee received written comments in support of this measure from the University of Hawaii System; Department of Budget and Finance; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for the collective bargaining agreement for bargaining unit (6) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1005, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1005, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1712 Ways and Means on H.B. No. 1006**

The purpose and intent of this measure is to appropriate moneys 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 the 2023-2025 fiscal biennium.

Your Committee received written comments in support of this measure from the University of Hawaii System, Department of Budget and Finance, and University of Hawaii Professional Assembly.

Your Committee finds that the negotiations for the collective bargaining agreement for bargaining unit (7) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1006, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1006, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1713 Ways and Means on H.B. No. 1007**

The purpose and intent of this measure is to appropriate moneys 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 the 2023-2025 fiscal biennium.

Your Committee received written comments in support of this measure from the University of Hawaii System; Department of Budget and Finance; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for the collective bargaining agreement for bargaining unit (8) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1007, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1007, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1714 Ways and Means on H.B. No. 1008**

The purpose and intent of this measure is to appropriate moneys for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (9) and for their excluded counterparts for the 2023-2025 fiscal biennium.

Your Committee received written comments in support of this measure from the University of Hawaii System; Department of Budget and Finance; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for the collective bargaining agreement for bargaining unit (9) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1008, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1008, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1715 Ways and Means on H.B. No. 1009**

The purpose and intent of this measure is to appropriate moneys for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (10) and for their excluded counterparts for the 2023-2025 fiscal biennium.

Your Committee received written comments in support of this measure from the University of Hawaii System; Department of Budget and Finance; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that the negotiations for the collective bargaining agreement for bargaining unit (10) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1009, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1009, H.D. 1, S.D. 1.



Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1716 Ways and Means on H.B. No. 1010**

The purpose and intent of this measure is to appropriate moneys 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 the 2023-2025 fiscal biennium.

Your Committee received written comments in support of this measure from the Department of Budget and Finance and the Hawaii Firefighters Association, Local 1463, IAFF, AFL-CIO.

Your Committee finds that the negotiations for the collective bargaining agreement for bargaining unit (11) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1010, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1010, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1717 Ways and Means on H.B. No. 1011**

The purpose and intent of this measure is to appropriate moneys 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 the 2023-2025 fiscal biennium.

Your Committee received written comments 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 the collective bargaining agreement for bargaining unit (13) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

Your Committee has amended this measure by:

- (1) Inserting unspecified amounts for public employment cost items of the legislative branch; 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. 1011, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1011, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1718 Ways and Means on H.B. No. 1012**

The purpose and intent of this measure is to appropriate moneys 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 the 2023-2025 fiscal biennium.

Your Committee received written comments 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 the collective bargaining agreement for bargaining unit (14) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1012, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1012, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1719 Ways and Means on H.B. No. 1000**

The purpose and intent of this measure is to appropriate moneys for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (1) and for their excluded counterparts for the 2023-2025 fiscal biennium.

Your Committee received written comments in support of this measure from the University of Hawaii System; Department of Budget and Finance; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that the negotiations for the collective bargaining agreement for bargaining unit (1) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1000, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1000, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1720 Ways and Means on H.B. No. 1001**

The purpose and intent of this measure is to appropriate moneys 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 the 2023-2025 fiscal biennium.

Your Committee received written comments in support of this measure from the University of Hawaii System; Department of Budget and Finance; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for the collective bargaining agreement for bargaining unit (2) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1001, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1001, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1721 Ways and Means on H.B. No. 1002**

The purpose and intent of this measure is to appropriate moneys 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 the 2023-2025 fiscal biennium.

Your Committee received written comments in support of this measure from the University of Hawaii System; Department of Budget and Finance; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for the collective bargaining agreement for bargaining unit (3) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1002, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1002, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1722 Ways and Means on H.B. No. 1003**

The purpose and intent of this measure is to appropriate moneys 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 the 2023-2025 fiscal biennium.

Your Committee received written comments in support of this measure from the University of Hawaii System; Department of Budget and Finance; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for the collective bargaining agreement for bargaining unit (4) are ongoing. This measure provides a legislative vehicle for which the additional costs of the bargaining unit and the members' excluded counterparts may be appropriated if an agreement is reached or an arbitration award is issued prior to the end of the 2023 Regular Session.

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. 1003, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1003, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1723 Ways and Means on H.B. No. 677**

The purpose and intent of this measure is to establish the dwelling unit revolving fund equity pilot program.

More specifically, this measure:

- (1) Requires the Hawaii Housing Finance and Development Corporation to establish a five-year dwelling unit revolving fund equity pilot program in which:
  - (A) The corporation purchases equity in for-sale housing development projects and allocates the equity to specific units;
  - (B) The price paid for each unit by an eligible purchaser is reduced by the corporation's equity amount; and
  - (C) The corporation's equity share is paid back to the corporation upon resale of the unit; and
- (2) Appropriates moneys for the dwelling unit revolving fund equity pilot program, including the establishment of one full-time equivalent (1.0 FTE) housing development specialist III position to support the pilot program.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that establishing a dwelling unit revolving fund equity pilot program will help to address the unmet demand for affordable for-sale housing in the State.

Your Committee has amended this measure by:

- (1) Changing the computation of interest, from a fixed seven percent rate to a rate established by the corporation, that a purchaser of certain real property is required to pay to the Hawaii Housing Finance and Development Corporation upon the purchaser's sale or assignment of the real property after a specified period of time;
- (2) Clarifying the dates by which the Hawaii Housing Finance and Development Corporation shall submit reports to the Legislature regarding the dwelling unit revolving fund equity pilot program;
- (3) Clarifying that certain requirements imposed by this measure shall remain in effect after June 30, 2028; 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. 677, 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. 677, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1724 Ways and Means on H.B. No. 852**

The purpose and intent of this measure is to amend state enterprise law by amending the definition of "eligible business activity" to include the processing of value-added agricultural products grown within an enterprise zone, and the development or production of renewable energy.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office, Hawaii Food Industry Association, Hawaii Forest Industry Association, Ulupono Initiative, Hawaii Farm Bureau, Hawaii Gas, Hawaiian Electric, and Hawaii Clean Power Alliance.

Your Committee received written comments on this measure from the Department of Agriculture; Department of Business, Economic Development, and Tourism; and Tax Foundation of Hawaii.

Your Committee finds that the State should pursue efforts to strengthen the local economy, support local farmers and rural communities, and reach renewable energy goals. Your Committee also finds that expanding the range of activities that qualify for the State's enterprise zone program, as proposed by this measure, will stimulate growth and development in the private sector, lead to advances in renewable energy, and help lower the cost of renewable energy projects.

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. 852, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 852, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1725 Ways and Means on H.B. No. 1248**

The purpose and intent of this measure is to appropriate moneys to the Department of Agriculture for the continued administration of the Hawaii Healthy Food Incentive Program and to provide matching funds to beneficiaries who participate in the Supplemental Nutrition Assistance Program.

Your Committee received written comments in support of this measure from the Department of Human Services; Department of Agriculture; Department of Health; Maui County Council; American Heart Association; Hawaii Public Health Institute; 350Hawaii; Hawaii Primary Care Association; Hawaii Pacific Health; Good Food Movement; Hawaii Children's Action Network Speaks!; The Food Basket, Inc.; We Are One, Inc.; Hawaii Alliance for Progressive Action; Hawaii Farm Bureau; Ulupono Initiative; Sustainable Molokai; Hawaii Farmers Union United; Hawaii Medical Service Association; Maui Hub; AlohaCare; Farm Link Hawaii; Hawaii Good Food Alliance; Hawaii Hunger Action Network; Hawaii Appleseed Center for Law and Economic Justice; Hawaii Food Industry Association; Hawaii Foodbank; Ai Pohaku - The Stone Eaters; Hawaii Reef and Ocean Coalition; Climate Protectors Hawaii; Hilo Food Hub; and numerous individuals.

Your Committee finds that the nutrition assistance programs supported by this measure will help address food insecurity and improve health outcomes for the State's residents by supporting the continued availability and accessibility of healthy foods.

Your Committee has amended this measure by:

- (1) Correcting the name of the National Institute of Food and Agriculture; 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. 1248, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1248, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1726 Ways and Means on H.B. No. 1329**

The purpose and intent of this measure is to support the development of active shooter training in the State's public and charter schools.

More specifically, the measure:

- (1) Requires the Department of Education to work with certain organizations to develop and implement an active shooter training program in all public and charter schools under the jurisdiction of the Department; and
- (2) Exempts public and charter school students from participating in the active shooter training program developed by the Department.

Your Committee received written comments in support of this measure from the Department of Education and four individuals.

Your Committee received written comments on this measure from the State Public Charter School Commission.

Your Committee finds that the open-air settings of many of the State's public and charter schools pose security concerns for school administrators and law enforcement. The active shooter training program required by this measure will help ensure that the State's schools are more prepared to effectively address an active shooter threat.

Your Committee has amended this measure by:

- (1) Deleting the words "under the jurisdiction of the department" to avoid any confusion or uncertainty about the schools to which the measure applies, as recommended in testimony from the State Public Charter School Commission;
- (2) Clarifying that public and charter school students may decline to participate in active shooter training; 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. 1329, 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. 1329, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1727 (Majority) Ways and Means on H.B. No. 1385**

The purpose and intent of this measure is to improve transparency with respect to extensions of leases of public lands.

More specifically, the measure provides that:

- (1) The Board of Land and Natural Resources shall not unilaterally amend the terms and conditions of any lease of public lands being extended pursuant to Act 149, Session Laws of Hawaii 2018 (Act 149), codified at Part X of Chapter 171, Hawaii Revised Statutes (HRS), except as otherwise provided therein; and
- (2) If the Board wishes to amend the terms and conditions of any lease of public lands being extended pursuant to Act 149 to reflect the Board's most current lease form and leasing practices and policies, the lease form and leasing practices and policies

must be included in the rules of the Board governing the extension of leases pursuant to Act 149 or Chapter 171, HRS, adopted by the Board in accordance with Chapter 91, HRS.

Your Committee received written comments in support of this measure from the Department of Research and Development of the County of Hawaii, Hilo Fish Co, and one individual.

Your Committee received written comments in opposition to this measure from the Department of Land and Natural Resources, Kupuna for the Mo'opuna, Hawaii Alliance for Progressive Action, Sierra Club of Hawaii, and numerous individuals.

Your Committee received written comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that the Board of Land and Natural Resources has been unilaterally approving extensions of leases pursuant to Act 149 by amending the lease terms and conditions to conform to the Board's most current lease form and leasing practices and policies, despite the lack of any provision in Act 149 expressly allowing the Board to do so. Your Committee further finds that requiring that any amendments to the terms and conditions of lease extensions comply with Part X of Chapter 171, HRS, or be included in the Board's administrative rules adopted in accordance with Chapter 91, HRS, will provide for more consistency and transparency in these processes.

Your Committee has amended this measure by:

- (1) Specifying that nothing in section 171-192, HRS, with respect to lease restrictions as amended by section 2 of the measure, shall diminish, alter, or amend any existing rights, privileges, or practices of the Native Hawaiian people;
- (2) Inserting the contents of Senate Bill No. 1235, S.D. 2, as Parts II through V of the measure to provide as follows:
  - (A) Establishing a temporary public land trust working group within the Office of the Governor to compile a definitive inventory of public land trust lands;
  - (B) Appropriating funds to the Office of Hawaiian Affairs for repairs to bulkheads and revetments located in certain parcels conveyed to the Office;
  - (C) Requiring and appropriating funds for the Office of Hawaiian Affairs to conduct a programmatic environmental impact statement for any development projects within the Kakaako Makai area of the public land trust; and
  - (D) Appropriating funds to the Office of Hawaiian Affairs for certain construction costs for the development of Kukaniloko; 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. 1385, 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. 1385, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, 1 (Fevella). Excused, none.

**SCRep. 1728 (Majority) Judiciary on H.B. No. 525**

The purpose and intent of this measure is to implement the 2022 Uniform Commercial Code Amendments set forth by the Uniform Law Commission.

Your Committee received testimony in support of this measure from the State of Hawaii Commission to Promote Uniform Legislation. Your Committee received testimony in opposition to this measure from the Hawaii County General Jural Assembly; Shakamaps LLC; Aloha Freedom Coalition; Maui Hula Wahine LLC; For Our Rights; Amare is Aloha; Parents United for Hawaii; Therapeutic Touch of Hawaii; CV4CR Inc.; and approximately seven hundred fifteen individuals. Your Committee received comments on this measure from the Uniform Law Commission and Grassroot Institute of Hawaii.

Your Committee finds that the Uniform Commercial Code provides a set of laws for broad categories of commercial transactions. In 2022, the Uniform Commercial Code was amended to reflect the economy's shift towards services, software, and information-based transactions. This measure adopts the amendments to the Uniform Commercial Code to reflect the current economy.

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. 525, 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. 525, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1729 Judiciary on H.B. No. 777**

The purpose and intent of this measure is to authorize the Department of Human Services to conduct background checks for current and prospective employees, volunteers, contractors, contractors' employees and volunteers, subcontractors, and subcontractors' employees and volunteers whose position places them or would place them in close proximity to certain minors, young adults, or vulnerable adults.

Your Committee received testimony in support of this measure from the Department of Human Services, Catholic Charities Hawai'i, Hawai'i Health Systems Corporation, and five individuals. Your Committee received comments on this measure from the Hawai'i Civil Rights Commission.

Your Committee finds that the current pre-employment background clearance process includes the State of Hawaii name-based criminal history record check. It relies on prospective new hires to self-report any convictions outside of the State of Hawaii. Having the statutory authority to conduct comprehensive national and state fingerprint-based criminal history record checks and periodic rechecks will allow the Department of Human Services to obtain information directly from the Federal Bureau of Investigations and the Hawaii Criminal Justice Data Center. This measure authorizes the Department of Human Services to conduct national and state background checks, which will ensure the health, safety, and well-being of minors, young adults, and vulnerable adults receiving child welfare, child protective services, extended foster care, higher education supports, social services, and adult protective or community services from the Department of Human 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 777, 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. 777, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1730      Judiciary on H.B. No. 581**

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 the dynamics of domestic violence every three years; and
- (2) Require individuals to submit a letter or certificate of completion to the family court.

Your Committee received testimony in support of this measure from the Judiciary, Hawai'i State Coalition Against Domestic Violence, Democratic Party of Hawai'i Women's Caucus, and nine individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the lack of domestic violence training for custody evaluators and fact-finders too often results in inconsistent outcomes for survivors of domestic violence and their children. Survivors report feeling re-victimized by their interactions with custody evaluators and fact-finders and some choose not to proceed with the custody process at all. Survivors and their children are not justly served when custody evaluators and fact-finders are not trained to recognize the dynamics of domestic violence and how the abusive parent could be using tactics of power and control in a custody case. This measure will ensure that custody and fact-finders have the training and knowledge about the dynamics of domestic violence and its impact on children.

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

Your Committee notes that although this measure is effective upon its approval, the statutory language in the measure specifies that the new requirements shall be effective beginning July 1, 2024.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 581, 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. 581, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1731      (Majority) Judiciary on H.B. No. 118**

The purpose and intent of this measure is to:

- (1) Clarify that each county may, by ordinance, designate certain sections of county highways as areas in which stopping, standing, or parking vehicles is prohibited or restricted; and
- (2) Provide that any federal or state agency authorizing a road closure shall supersede a county ordinance.

Your Committee received testimony in support of this measure from the Department of Transportation, one member of the Maui County Council, and Hawai'i State Association of Counties.

Your Committee finds that many popular scenic areas draw thousands of visitors who overburden state and county roads and highways and contribute to illegal parking that causes traffic gridlock and complaints from local communities. Your Committee also finds that Act 250, Session Laws of Hawaii 2019, established the State Highway Enforcement Program, which added a surcharge for illegal parking violations. Act 250 required that fifty percent of the surcharge revenue be distributed to county police departments, which are vital to the enforcement of parking violations. This measure will authorize the counties to designate, by ordinance, specific sections of county highways subject to stopping, standing, and parking laws to enhance enforcement against illegal parking violations and provide for parking management improvements.

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. 118, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 118, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1732 Judiciary on H.B. No. 615**

The purpose and intent of this measure is to clarify that any provision in a private agreement contained in a conveyance of land recorded on or before July 8, 2003, that has since expired but has not been renewed and recorded in the Bureau of Conveyances is prohibited from restricting bona fide agricultural uses and activities on agricultural land.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, and Hawai'i Farm Bureau.

Your Committee finds that this measure is aligned with prior legislation that prohibits private restrictions of agricultural activities and uses on agricultural land.

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. 615, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 615, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1733 Ways and Means on H.B. No. 547**

The purpose and intent of this measure is to establish a two-year pilot program to subsidize the hourly pay of child care workers for the purpose of retaining those workers in the field of infant and toddler care.

Your Committee received written comments in support of this measure from the Early Learning Board; Executive Office on Early Learning; a member of the Hawaii County Council; American Association of University Women of Hawaii; HPM Building Supply; aio; Parents and Children Together; Holomua Collaborative; Title Guaranty Hawaii; Hawaiian Host Group; Early Childhood Action Strategy; Hawaii Gas; Hawaii Community Foundation; Hawaii State Coalition Against Domestic Violence; Tori Richard, Ltd.; Healthy Mothers Healthy Babies Coalition of Hawaii; Save Medicaid Hawaii; We Are Oceania; and numerous individuals.

Your Committee received written comments on this measure from the Department of Human Services and Hawaii Children's Action Network Speaks!.

Your Committee finds that there are an estimated five hundred fifty child care workers in the State who are potentially eligible for a subsidy under the pilot program, but the Department of Human Services does not have the resources to process that volume of expected requests. Your Committee notes that there are sixty-seven licensed infant and toddler child care centers in the State. Your Committee believes that it would be more efficient to provide that the application for a subsidy be made by the infant and toddler child care centers for the benefit of their workers and require that the infant and toddler child care centers compile the information for their respective child care workers into an application for submission to the Department.

Your Committee has amended this measure by:

- (1) Providing that infant and toddler child care centers, instead of individual child care workers, apply for the subsidy and enter into a contract with the Department of Human Services to receive the subsidy;
- (2) Inserting an effective date of 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 H.B. No. 547, 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. 547, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 1734 Ways and Means on H.B. No. 1369**

The purpose and intent of this measure is to ensure the financial viability of long-term care facilities in the State.

Specifically, this measure:

- (1) Makes the nursing facility sustainability program permanent;
- (2) Makes various amendments to the nursing facility sustainability program;
- (3) Repeals the nursing facility tax; and
- (4) Appropriates funds from the nursing facility sustainability program special fund.

Your Committee received written comments in support of this measure from the Department of Human Services, Hawaii Pacific Health, Hawaii Primary Care Association, and The Queen's Health Systems.

Your Committee received written comments on this measure from the Department of Taxation and Healthcare Association of Hawaii.

Your Committee finds that, since it was established in 2012, the nursing facility sustainability program has served a critical role in strengthening the State's long-term care system. In particular, the program has helped long-term care facilities treat some of the most vulnerable patients in Hawaii. Your Committee further finds that making this program permanent will help to ensure the future sustainability of these facilities.

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 H.B. No. 1369, 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. 1369, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1735 Ways and Means on H.B. No. 224**

The purpose and intent of this measure is to require the Hawaii Public Housing Authority to establish, appropriate moneys for, and require legislative reports for, a two-year public housing tenant upward mobility pilot program.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority.

Your Committee finds that many public housing tenants lack training or experience needed to obtain gainful employment. Your Committee finds that a pilot program that provides part-time, on-the-job paid training, as proposed by this measure, may be a vehicle for these tenants to learn skills, increase their incomes, and eventually transition out of public housing.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$500,000 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 record of votes of the members 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. 224, 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. 224, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Aquino, Kanuha, Shimabukuro).

**SCRep. 1736 Ways and Means on H.B. No. 278**

The purpose and intent of this measure is to appropriate moneys to the Executive Office on Aging to create an Alzheimer's disease and related dementias public health campaign.

Your Committee received written comments in support of this measure from the State Council on Developmental Disabilities; AARP Hawaii; Hale Hauoli Hawaii; Hawaii Family Caregiver Coalition; Hawaii Ironworkers Stabilization Fund; Hydroponics Alternatives, LLC; International Longshore and Warehouse Union Local 142; Papa Ola Lokahi; The Kupuna Caucus of the Democratic Party of Hawaii; United Public Workers; and numerous individuals.

Your Committee received written comments on this measure from the Executive Office on Aging of the Department of Health, Alzheimer's Association, and Hawaii Primary Care Association

Your Committee finds that educating the public about Alzheimer's disease and related dementias will promote healthy aging, support caregivers, and encourage people having cognitive impairments to communicate with health care professionals.

Your Committee has amended this measure by:

- (1) Clarifying the scope of the appropriations;
- (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 H.B. No. 278, 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. 278, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Aquino, Kanuha, Shimabukuro).

**SCRep. 1737 Ways and Means on H.B. No. 346**

The purpose and intent of this measure is to provide for the installation of electric vehicle charging infrastructure in state facilities.

More specifically, this measure:



- (1) Requires that all new state building construction that includes parking be designed so that at least twenty-five percent of provided parking stalls are electric vehicle charger-ready;
- (2) Requires the Hawaii State Energy Office, in consultation with the Department of Accounting and General Services and Department of Transportation, to survey existing state facilities that include parking, prioritize retrofitting state facilities with electric vehicle charging systems, and submit a report to the Legislature;
- (3) Establishes as a goal of the State that state facilities be retrofitted to be electric vehicle charger-ready; and
- (4) Appropriates moneys to the Department of Accounting and General Services to conduct a detailed cost analysis and install, or contract for the installation of, retrofits and electric vehicle charging systems at certain state facilities.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services, Department of Transportation, Hawaii State Energy Office, 350Hawaii, Alliance for Automotive Innovation, Blue Planet Foundation, Climate Protectors Hawaii, Hawaii Automobile Dealers' Association, Hawaii EV Association, Hawaiian Electric Company, Kauai Climate ACTION Coalition, The Environmental Caucus of the Democratic Party of Hawaii, Ulupono Initiative, and numerous individuals.

Your Committee received written comments on this measure from Big Island Electric Vehicle Association and three individuals.

Your Committee finds that including electric vehicle charging infrastructure in state facilities will help to support the increased adoption of electric vehicles in the State and the State's transition to clean transportation.

Your Committee has amended this measure by:

- (1) Clarifying the duties of the Hawaii State Energy Office;
- (2) Clarifying the scope of the appropriations; 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. 346, 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. 346, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Fevella). Noes, none. Excused, 3 (Aquino, Kanuha, Shimabukuro).

**SCRep. 1738 Ways and Means on H.B. No. 953**

The purpose and intent of this measure is to require and appropriate moneys to the Department of Land and Natural Resources to develop and publish a website that contains the application processes necessary to acquire a permit, license, or reservation to conduct recreational and commercial activities that are regulated by or under the jurisdiction of the Department.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Resources Legacy Fund, and one individual.

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

Your Committee finds that many members of the public face difficulties with the current online processes for obtaining permits, licenses, or reservations processed by the Department of Land and Natural Resources. Accordingly, your Committee finds that an effort to consolidate application processes, as proposed by this measure, will facilitate and streamline these processes for residents, visitors, and businesses.

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. 953, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 953, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Aquino, Shimabukuro).

**SCRep. 1739 Ways and Means on H.B. No. 960**

The purpose and intent of this measure is to appropriate moneys into and out of the school facilities special fund for the School Facilities Authority to construct new school facilities and expand existing school facilities for prekindergarten students.

Your Committee received written comments in support of this measure from the Hawaii State Teachers Association, School Facilities Authority, Office of the Lieutenant Governor, University of Hawaii, Executive Office on Early Learning, HE'E Coalition, Kamehameha Schools, 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 the School Facilities Authority is considering expending some of the moneys appropriated by this measure to establish prekindergarten facilities at locations outside of existing school grounds. Accordingly, your Committee believes

that amending the powers of the School Facilities Authority to explicitly allow for the construction of prekindergarten facilities will help to achieve the intent of the measure.

Your Committee has amended this measure by adding provisions that explicitly include the development and construction of prekindergarten facilities among the powers of the School Facilities 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. 960, 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. 960, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Aquino, Shimabukuro).

**SCRep. 1740 Ways and Means on H.B. No. 964**

The purpose and intent of this measure is to facilitate the certification of documents.

Specifically, the measure:

- (1) Establishes a fee, to be assessed by the Lieutenant Governor, for the issuance of apostilles or non-apostille certifications;
- (2) Establishes an apostilles and certifications special fund, from which moneys may be expended for certain operational expenses; and
- (3) Appropriates moneys out of the apostilles and certifications special fund for operational expenses relating to the purposes of the measure.

Your Committee received written comments in support of this measure from the Lieutenant Governor and Department of Health.

Your Committee finds that each year, the Office of the Lieutenant Governor provides thousands of authentications for public and general documents that fall within the scope of this measure. These documents include marriage certificates, birth certificates, divorce decrees, wills, powers of attorney, and other documents. Your Committee finds that this measure would provide the Office with funding necessary to improve its efficiency in processing these documents.

Your Committee has amended this measure by:

- (1) Including legislative appropriations among the funding sources for the apostilles and certifications special fund; and
- (2) Appropriating and depositing an unspecified sum from the general fund into the apostilles and certifications 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 H.B. No. 964, 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. 964, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1741 Ways and Means on H.B. No. 1148**

The purpose and intent of this measure is to appropriate moneys to support and expand the University of Hawaii's mental health technician certificate of competence program.

Your Committee received written comments in support of this measure from the Adult Mental Health Division of the Department of Health, Hawaii State Council on Mental Health, Judiciary, University of Hawaii, Hawaii Substance Abuse Coalition, University of Hawaii Professional Assembly, and numerous individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that supporting the University of Hawaii's mental health technician certificate of competence program will help to address the critical shortage of mental health workers in the State.

Your Committee has amended this measure by:

- (1) Deleting the appropriations made to the University of Hawaii;
- (2) Inserting an appropriation to the Office of the Governor for the establishment of one temporary full-time equivalent (1.0 FTE) mental health technician certificate of competence program coordinator position;
- (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. 1148, 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. 1148, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1742 Ways and Means on H.B. No. 1183**

The purpose and intent of this measure is to enable the stewardship of state parks by community- and place-based nonprofit organizations.

Specifically, this measure exempts parking lot operations at state parks and operation of concessions at certain state parks from the bidding requirements for concessions operated on public property.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources and Hui Maka'ainana o Makana.

Your Committee finds that the exemption created by this measure would apply only to certain operations within state parks that are designated by the Board of Land and Natural Resources as environmentally, culturally, historically, or operationally unique. Your Committee further finds that this limited exemption will allow for the specialized care and management of some of the State's most important natural and cultural resources.

Your Committee has amended this measure by correcting a reference to destination management action plans in the preamble.

As affirmed by the record of votes of the members 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. 1183, 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. 1183, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1743 Ways and Means on H.B. No. 1250**

The purpose and intent of this measure is to establish labeling requirements for mamaki tea that is grown in the State and to appropriate moneys to the Department of Agriculture to administer the requirements.

Your Committee received written comments in support of this measure from the Hawaii Farm Bureau, Hawaii Farmers Union United, and one individual.

Your Committee finds that the labeling requirements established by this measure will help protect one of Hawaii's agriculturally important crops and prevent the deceptive or misleading marketing of mamaki tea.

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. 1250, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1250, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1744 Ways and Means on H.B. No. 1340**

The purpose and intent of this measure is to authorize the Director of Health to establish a Temporary Breakthrough Therapy Designation Advisory Council within three months of certain breakthrough therapy designation approvals by the United States Food and Drug Administration.

Your Committee received written comments in support of this measure from the Office of Wellness and Resilience in the Office of the Governor, Department of Health, Hawaii Psychological Association, Beyond Mental Health, Clarity Project, Honolulu Psychotherapy, and numerous individuals.

Your Committee finds that the advisory council required by this measure will help prepare the State for future treatments and technologies that have applications in behavioral health and are expected to receive full approval by the United States Food and Drug Administration in the next four to six years.

Your Committee has amended this measure by:

- (1) Requiring, rather than authorizing, the Director of Health to establish a Temporary Breakthrough Therapy Designation Advisory Council upon the United States Food and Drug Administration's approval of certain breakthrough therapy designations;
- (2) Clarifying that representatives from private entities should be invited to serve as members of the advisory council; 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. 1340, 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. 1340, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1745 Ways and Means on H.B. No. 1363**

The purpose and intent of this measure is to amend the county surcharge on state tax.

Specifically, this measure:

- (1) Extends the period within which a county may adopt a surcharge on state tax, under certain conditions, from March 31, 2019, to December 31, 2023;
- (2) Authorizes, in certain instances, the use of county surcharge revenues for housing infrastructure; and
- (3) Temporarily authorizes counties that have previously adopted a surcharge on state tax to amend the uses of the surcharge.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Planning and Sustainable Development, Office of the Mayor of the County of Maui, a member of the Maui County Council, Hawaii Association of REALTORS, Land Use Research Foundation of Hawaii, and Maui Metropolitan Planning Organization.

Your Committee received written comments on this measure from the Department of Taxation, NAIOP Hawaii Chapter, and Tax Foundation of Hawaii.

Your Committee finds that the development of housing is of critical importance to the State. Your Committee also finds that the high cost of developing infrastructure to support housing is often transferred by private developers to homebuyers. Your Committee further finds that this measure is intended to implement a policy shift with regard to the development of housing by making the counties, rather than private developers, responsible for the location, planning, and development of infrastructure to support housing. Your Committee believes that authorizing a county to use revenues from the county surcharge on state tax for housing infrastructure would provide the funding necessary to effect this change in policy.

Your Committee has amended this measure by:

- (1) Clarifying the dates upon which the Director of Taxation will begin to levy, assess, and collect a newly-established county surcharge on state tax; 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. 1363, 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. 1363, H.D. 3, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1746 Ways and Means on H.B. No. 1394**

The purpose and intent of this measure is to improve the ability of the Department of Land and Natural Resources to manage popular hiking locations under its jurisdiction.

More specifically, the measure appropriates funds to the Department of Land and Natural Resources for supplies, vehicles, contracts, and additional staffing positions for the Department's Division of Forestry and Wildlife to manage "hotspots" at trailheads leading to the hiking trails of Na Ala Hele, the State's trail and access program.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii Tourism Authority, Hawaii Bicycling League, Land Use Research Foundation of Hawaii, and six individuals.

Your Committee finds that the popularity of certain hiking trails, which grew dramatically during the coronavirus disease 2019 pandemic, has resulted in trailheads being overwhelmed by large numbers of residents and visitors. Your Committee further finds that the additional resources provided by this measure will support the Division of Forestry and Wildlife in managing access to these trails by working with stakeholders to identify and implement alternative solutions in coordination with state and county agencies.

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. 1394, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1394, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1747 Ways and Means on H.B. No. 1439**

The purpose and intent of this measure is to reduce the number of residential tenant evictions and decrease the number of eviction cases in the court system.

More specifically, the measure:

- (1) Establishes a pilot program that adopts the most effective provisions of Act 57, Session Laws of Hawaii 2021 (Act 57), that:
  - (A) Extends the period for a notice of termination of the rental agreement from five business days to ten calendar days;
  - (B) Requires landlords to engage in mediation and delay filing an action for summary possession if a tenant schedules or attempts to schedule a mediation; and

- (C) Requires landlords to provide specific information in the ten-calendar-day notice to tenants, which shall also be provided to a mediation center that offers free mediation for residential landlord-tenant disputes;
- (2) Appropriates funds for the pre-litigation mediation pilot program; and
- (3) Establishes and appropriates funds for an emergency rent relief program for participants in pre-litigation mediation, to provide resources that will help tenants avoid eviction and maintain stable tenancies.

Your Committee received written comments in support of this measure from the Department of Human Services; Judiciary; Hawaii Public Housing Authority; AlohaCare; Catholic Charities Hawaii; Hawaii Children's Action Network Speaks!; Papa Ola Lokahi; Hawaii State Coalition Against Domestic Violence; Hawaiian Humane Society; Ku'ikahi Mediation Center; Mediation Center of the Pacific, Inc.; Housing Hawaii's Future; and numerous individuals.

Your Committee received written comments on this measure from the Chamber of Sustainable Commerce, Hawaii Housing Affordability Coalition, Hawaii Realtors, Hawaii Appleseed Center for Law and Economic Justice, and PAL Kauai.

Your Committee finds that this measure, which temporarily re-establishes the widely successful mediation procedures created by Act 57, will improve housing stability for more renters in the State by increasing the number of disputes that may be settled without filing a summary possession case in court, and by increasing the number of settlements in which the parties agree that the tenant may continue residing in the dwelling unit.

Your Committee has amended this measure by:

- (1) Clarifying that a ten-calendar-day notice mailed to a tenant shall be deemed to have been received two business days after the date of the postmark;
- (2) Clarifying that the cap on the total amount of payments made to participants each year under the Emergency Rent Relief Program pertains to the fiscal year and not the calendar year; 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. 1439, 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. 1439, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1748 Commerce and Consumer Protection on H.B. No. 704**

The purpose and intent of this measure is to:

- (1) Provide an exemption for flatbed trucks from registration renewals and initial registrations of motor carrier vehicles when used as marine terminal equipment temporarily moving in or between certain terminals; and
- (2) Add new terminal locales and roadways to be covered under the exemption.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that existing law limits unregistered motor vehicles used as marine terminal equipment to operate only between specified terminals on public roads. This measure allows for unregistered flatbed trucks to also be used temporarily as marine terminal equipment to expedite movement between terminals and also expands the list of roadways that may be used by marine terminal equipment.

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 H.B. No. 704, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 704, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1749 Commerce and Consumer Protection on H.B. No. 217**

The purpose and intent of this measure is to:

- (1) Update the cost valuations of work on certain residences for the work to qualify for an exemption from the requirement that plans and specifications for construction projects be prepared by a licensed engineer or architect; and
- (2) Clarify the types of work that shall not be exempted from the requirement that plans be prepared by a licensed engineer or architect.

Your Committee received testimony in support of this measure from the American Institute of Architects Hawaii Council; Crossland Engineering, LLC; Hawaii Solar Energy Association; and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects; Our Revolution Hawaii; and 350Hawaii.org.

Your Committee finds that existing law requires that plans and specifications for construction projects on certain buildings, including residences, must be prepared by a licensed engineer or architect, unless the estimated cost of the work is under a certain dollar amount. The law was last amended in 1979 and the value of one dollar in 1979 is now equivalent to over four dollars. Accordingly, this measure updates cost valuations of certain work that can be performed without plans or specifications prepared by a licensed engineer or architect, thus decreasing the cost for homeowners to make renovations to their homes.

Your Committee has amended this measure by:

- (1) Inserting unspecified amounts for the cost valuations of work on certain residences for the work to qualify for an exemption from the requirement that plans and specifications for construction projects be prepared by a licensed engineer or architect; 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. 217, 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. 217, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1750 Commerce and Consumer Protection on H.B. No. 1091**

The purpose and intent of this measure is to require disclosure of all existing permitted and unpermitted erosion control structures on the parcel and the annual coastal erosion rate for the zoning lot in real estate transactions when residential real property lies adjacent to the shoreline.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawai'i System, Office of Planning and Sustainable Development, and one individual. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that the vulnerability of coastal properties due to erosion and flooding from seasonal waves and storms is increasing with sea level rise. It is critical that buyers of coastal property in the State understand the hazards and risks they are assuming in purchasing oceanfront property. Therefore, this measure requires real estate disclosures to include certain erosion and erosion control information to support informed decision-making by buyers and government agencies.

Your Committee acknowledges the concerns raised in testimony that a seller may not have knowledge of or control over structures on state land and thus would be unable to disclose the existence of those structures. However, your Committee notes that erosion control structures are typically conspicuous and large in size, and it is unlikely that homeowners are unaware of their existence. Accordingly, the existence of these structures should be disclosed when a property is listed for sale. Amendments to this measure are therefore necessary to address these concerns.

Your Committee has amended this measure by clarifying that when residential real property lies adjacent to the shoreline, the seller shall disclose any notices of alleged violation associated with the parcel and any fines for expired permits or unpermitted structures associated with the parcel.

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. 1091, 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. 1091, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1751 Commerce and Consumer Protection on H.B. No. 24**

The purpose and intent of this measure is to clarify that a common water carrier may enter into vessel leases longer than five years or enter into leverage leases for vessels upon prior approval of the Public Utilities Commission (PUC).

Your Committee received testimony in support of this measure from the Public Utilities Commission; Hawaii Harbor Users Group; Matson Navigation Company, Inc; Young Brothers, LLC; and Soderholm Sales and Leasing, Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the ability for residents and business to move goods between the islands at affordable rates is critical to the neighbor island communities' economic well-being, as they are reliant on the interisland cargo services that water common carriers provide. Long-term leases and leverage lease agreements impact and add to a water common carriers' costs, which in turn, are a component of the rates that water common carriers impose on residents and businesses. Under existing law, a water common carrier must receive approval from the PUC before entering into a long-term lease of more than three years or a leverage lease. However, the approval process can impede a water common carrier's ability to timely secure needed equipment or property. This measure would narrow the scope of the types of leases that require PUC approval, thus streamlining necessary business processes for water common carriers.

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 H.B. No. 24, 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. 24, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1752 Commerce and Consumer Protection on H.B. No. 218**

The purpose and intent of this measure is to:

- (1) Require certain pharmacies to provide accessible prescription drug label information to individuals who have difficulty seeing or reading prescription drug container labels and inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels; and
- (2) Require the Board of Pharmacy to adopt certain rules by December 31, 2024.

Your Committee received testimony in support of this measure from the National Federation of the Blind, National Organization of Parents of Blind Children Hawaii, and eight individuals. Your Committee received comments on this measure from the Department of Human Services and Board of Pharmacy.

Your Committee finds that currently, blind or visually impaired individuals who take prescription medications must often get assistance from others to read medication labels to determine what medicine they are taking. Furthermore, a person's eyesight can deteriorate as they age, and those in advanced age generally take more medication. In these cases, managing prescriptions independently and safely can become an overwhelming issue. This measure will help to reduce these concerns by requiring pharmacies to provide accessible prescription drug label information to individuals who are visually impaired.

Your Committee acknowledges the concerns raised in testimony that this measure, as currently written, provides a blanket exemption from the requirement to provide accessible prescription drug label information for pharmacies with not more than two pharmacists. Your Committee recognizes that all pharmacies, regardless of size, are covered by the Americans with Disabilities Act, and thus, even small pharmacies should be required to comply with the provisions of this measure, unless doing so would result in an undue burden. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by inserting language requiring pharmacies with not more than two pharmacists to request and receive an exemption from the Board of Pharmacy in order to be exempt from the requirements of this measure.

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. 218, 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. 218, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1753 Judiciary on H.B. No. 695**

The purpose and intent of this measure is to allow for the use of battery-charged security fences used for non-agricultural purposes, under certain circumstances.

Your Committee received testimony in support of this measure from Electronic Security Association; Amarak Ultimate Perimeter Security; and Penske Truck Leasing Co., L.P.

Your Committee finds that existing state law does not clearly differentiate between the use of battery-charged security fences in a non-agricultural setting and electrical fences in an agricultural setting. Your Committee notes that battery-charged security fences are a common solution when dealing with pervasive theft in areas of high risk for crime. According to the most recent statistics, approximately \$85,000,000 in property value was reported stolen in the State, an increase of 6.6 percent from the figure reported in the prior year. This measure seeks to deter and decrease crime quickly and effectively through the use of battery-charged security fences.

Your Committee has amended this measure by inserting an effective date of March 22, 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. 695, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 695, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1754 Judiciary on H.B. No. 1058**

The purpose and intent of this measure is to require an adopted individual to be considered a child of both the adopted and natural parents for the sole purpose of determining familial relationships, including for purposes of the Hawaiian Homes Commission Act.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and three individuals.

Your Committee finds that pursuant to section 578-16(b), Hawaii Revised Statutes, the former legal parent or parents of an adopted individual and any other former legal kindred is not considered to be related to the individual as provided in the Uniform Probate Code. As an unintended consequence, there are cases where Hawaiian home land lessees, as well as waiting list applicants, who have biological children that were adopted, could not transfer and succeed a lease to those biological children, or designate the biological child as a successor to a lease application, as the relationship between parent and child is effectively severed by the adoption. In other cases, lessees and waiting list applicants who were adopted, could not transfer and succeed a lease to their natural family members, or designate a natural family member as a successor to a lease application, due to having been adopted. This measure will allow the

adopted individual and the individual's natural family to maintain the same familial relationship in order to transfer and succeed to a lease, or succeed to a lease application, despite the legal effect of adoption.

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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1058, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1058, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1755 Judiciary on H.B. No. 1081**

The purpose and intent of this measure is to clarify the penalty to be assessed on any person who intentionally operates a care facility without a certificate or license.

Your Committee received testimony in support of this measure from the Department of Health and one individual.

Your Committee finds that unlicensed care homes continue to operate and pose a danger to the public and, in particular, frail, elderly, and vulnerable populations. Your Committee further finds that under existing law, there are two provisions that assess administrative penalties that may be imposed on care home operators. Under section 321-486.3, Hawaii Revised Statutes, the fine for each day of uncertified or unlicensed operation of a care home is only \$100 for the first violation, up to a maximum of \$1,000 for subsequent violations. Your Committee notes that unlicensed care homes charge as much as \$8,000 per month per client for multiple clients. A penalty under section 321-20(1), Hawaii Revised Statutes, of up to \$1,000 per day regardless of the number of prior violations would be a better remedial penalty to prevent operators from financially benefiting from operating a care home without a certificate or license. This measure will repeal section 321-486.3, Hawaii Revised Statutes, which is not a sufficient penalty to deter unlicensed operators from attempting to profit at the hands of vulnerable elderly and ensures that the more effective penalty as provided by section 321-20(1), Hawaii Revised Statutes, is 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. 1081, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1081, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1756 (Joint/Majority) Ways and Means and Judiciary on H.B. No. 554**

The purpose and intent of this measure is to require the University of Hawaii to provide training and awareness programs on sexual misconduct.

More specifically, this measure:

- (1) Requires the University of Hawaii to:
  - (A) Ensure that any individual participating in the University's disciplinary process has training or experience in handling sexual misconduct complaints and the University's disciplinary process; and
  - (B) Provide mandatory annual trauma-informed, gender-inclusive, LGBTQ+-inclusive sexual misconduct primary prevention and awareness programming for University of Hawaii students and employees;
- (2) Prohibits the University of Hawaii from taking certain disciplinary actions against either persons who report sexual misconduct or witnesses of sexual misconduct, unless certain exceptions apply; and
- (3) Appropriates moneys to the University of Hawaii to establish four full-time equivalent (4.0 FTE) positions.

Your Committees received written comments in support of this measure from the State Council on Developmental Disabilities, AAUW of Hawaii, Democratic Party of Hawaii Education Caucus, Every Voice Coalition, Every Voice Hawaii, Hawaii State Coalition Against Domestic Violence, Hawaii State Democratic Women's Caucus, Imua Alliance, Stonewall Caucus of the Democratic Party of Hawaii, and numerous individuals.

Your Committees received written comments on this measure from the University of Hawaii.

Your Committees find that requiring the University of Hawaii to provide mandatory annual trauma-informed, gender-inclusive, LGBTQ+-inclusive sexual misconduct primary prevention and awareness programming for its students will help to prevent sexual misconduct and make students feel safer and more supported.

Your Committees have amended this measure by 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. 554, 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. 554, H.D. 2, S.D. 2.



Signed by the Chairs on behalf of the Committees.  
 Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).  
 Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1757 (Joint) Ways and Means and Judiciary on H.B. No. 982**

The purpose and intent of this measure is to facilitate the enforcement of laws relating to tobacco.

Specifically, this measure amends:

- (1) The amount of funds that the tobacco enforcement special fund can carry over at the end of each fiscal year;
- (2) The cigarette tax stamp fee and the percentage of that fee allotted to the tobacco enforcement special fund; and
- (3) The sum of moneys received from the tobacco settlement that are deposited to the credit of the tobacco enforcement special fund.

Your Committees received written comments in support of this measure from the Department of the Attorney General, Department of Health, Hawaii Public Health Institute, Hawaii Primary Care Association, and American Cancer Society Cancer Action Network.

Your Committees received written comments in opposition to this measure from the Hawaii Smokers Alliance and four individuals.

Your Committees received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committees find that the tobacco enforcement special fund is the source of funding for efforts to administer, monitor, and enforce the master settlement agreement and related state tobacco laws. Your Committees also find that increasing the amount of moneys distributed to and retained in the fund will ensure that these enforcement efforts continue.

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 H.B. No. 982, 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. 982, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
 Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).  
 Judiciary: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1758 (Majority) Judiciary on H.B. No. 668**

The purpose and intent of this measure is to:

- (1) Condition the authority of a county whose population is greater than five hundred thousand to exercise state housing powers upon the county's continued compliance with provisions regarding accepting dedication of infrastructure and public highways in affordable housing developments; and
- (2) Amend various provisions relating to the dedication of infrastructure to a county.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that this measure is intended to facilitate the acceptance of the dedication of infrastructure and public highways by the City and County of Honolulu, including those of the Villages of Kapolei master planned community. Your Committee recognizes that the infrastructure improvements of the Villages of Kapolei were constructed in accordance with Act 15, Session Laws of Hawaii 1998 (Act 15), which created exemptions from various zoning and subdivision laws to expedite the development of affordable housing, and notes that the City and County of Honolulu has a duty to accept dedication of public infrastructure constructed in accordance with all relevant codes and ordinances at the time of commencement of construction. Your Committee further finds that while the City and County of Honolulu has collected real property tax revenues from the Villages of Kapolei for the past thirty years, its delay in acceptance of the infrastructure has saddled the State with an annual average cost of \$1,000,000 for the maintenance of these infrastructure improvements. Therefore, this measure facilitates the dedication of additional infrastructure improvements to a county by amending statutory language relating to the automatic dedication of certain infrastructure improvements to a county under certain conditions.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 668, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
 Ayes, 4; Ayes with Reservations (Elefante). Noes, 1 (Awa). Excused, none.

**SCRep. 1759 Judiciary on H.B. No. 841**

The purpose and intent of this measure is to refine and narrow the current requirement that all domestic abuse temporary restraining order cases — including cases that do not involve child abuse or neglect -- be automatically referred to the Department of Human Services' Child Welfare Services.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Hawai'i State Coalition Against Domestic Violence, Parents and Children Together, and four individuals.

Your Committee finds that under existing law, when a parent seeks a temporary restraining order for allegations of domestic abuse against another parent, or a household member who is a minor, the case is automatically referred to Child Welfare Services for intervention or investigation. Your Committee finds that this requirement is overbroad and unnecessarily involves Child Welfare Services in matters where there are no concerns for a child's well-being yet, nevertheless, statutorily imposes mandatory timelines for Child Welfare Services to investigate, report, and make a court appearance. Further, your Committee also finds that the automatic referral process can deter an abused parent from seeking a temporary restraining order, as a victim might fear that Child Welfare Services will remove their children from their custody during the investigation. Conversely, perpetrators of domestic abuse can also use the threat of Child Welfare Services against their victim for this reason, and thereby prolong the abuse of their victim. Your Committee finds that existing law must be amended to make it easier and safer for victims of domestic abuse to seek protection. Therefore, this measure will refine existing law to require that only cases involving allegations of child abuse or neglect shall be automatically referred to Child Welfare Services.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 841, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1760 (Majority) Judiciary on H.B. No. 426**

The purpose and intent of this measure is to:

- (1) Establish standards of conduct for firearm industry members;
- (2) Authorize any person who has suffered harm because of a firearm industry member's violation of the standards of conduct to bring a civil action; and
- (3) Authorize the Attorney General or any county attorney or public prosecutor to bring a civil action against a firearm industry member for violation of standards of conduct.

Your Committee received testimony in support of this measure from Everytown for Gun Safety, Moms Demand Action for Gun Sense in America, Students Demand Action for Gun Sense in America, Indivisible Hawaii, Brady Hawaii, Stonewall Caucus of the Democratic Party of Hawai'i, and forty-seven individuals. Your Committee received testimony in opposition to this measure from the National Rifle Association of Hawaii, Hawaii Firearms Coalition, and one hundred twelve individuals. Your Committee received comments on this measure from two individuals.

Your Committee finds that having operated with special protections for years, the gun industry has had no financial incentive to curb irresponsible conduct. Ensuring that valid civil claims can be brought against the gun industry for dangerous, negligent, and unlawful actions will not only provide civil justice to victims and survivors but also encourage the gun industry to act responsibly to help stem the tide of gun crimes that harm the people of Hawai'i and the nation, particularly in urban areas where communities of color are disproportionately harmed. This measure will ensure that members of the gun industry are no longer shielded from accountability and may lead to safer products and better conduct from the gun industry to ensure justice and safety for the public.

Your Committee notes that in 2005, Congress enacted a shield law for the firearms industry in response to litigation brought against firearms manufacturers and dealers by municipalities and victims of shooting incidents. For more than eighteen years, the Protection of Lawful Commerce in Arms Act (P.L. 109-92, codified at 15 U.S.C. § 7901 et seq.) has provided, with limited exceptions, broad legal immunity to the firearms industry by generally shielding federally licensed manufacturers, dealers, and sellers of firearms or ammunition and trade associations from any civil action "resulting from the criminal or unlawful misuse" of a firearm or ammunition.

Your Committee further notes that this measure sets, at the state level, standards of conduct for the firearms industry, including requiring the establishment, implementation, and enforcement of reasonable controls to prevent, among other actions, the sale or distribution of firearms, ammunition, and accessories to straw purchasers, firearms traffickers, persons prohibited from possessing a firearm, and persons who the firearm industry member has reasonable cause to believe is at substantial risk of using the firearm or related products unlawfully or to harm themselves or another. This measure additionally authorizes civil lawsuits by persons who have suffered harm in the State because of acts or omissions of members of the firearms industry that violate these standards of conduct, and will also allow the Attorney General and any county attorney or public prosecutor to bring civil actions.

Your committee also notes that other states have recently enacted laws with similar approaches, including New York, Delaware, New Jersey, and California.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 426, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 2 (Gabbard, Awa). Excused, none.

**SCRep. 1761 Ways and Means on H.B. No. 1245**

The purpose and intent of this measure is to increase the availability and reliability of emergency medical response services in the State.

More specifically, the measure appropriates funds to the Department of Health to:

- (1) Purchase one advanced life support ambulance and related equipment for the Central Maui area, and to fund pay-related personnel costs for one state-certified emergency medical technician and one state-certified paramedic; and
- (2) Increase the predictability and stability of available air ambulance services for all islands in the State.

Your Committee received written comments in support of this measure from the Department of Health, the Office of the Mayor of the County of Maui, a Maui County Councilmember representing the Wailuku-Waihee-Waikapu residency area, the Maui Hotel and Lodging Association, the American Medical Response, and two individuals.

Your Committee received written comments on this measure from the Maui County Paramedic Association.

Your Committee finds that the funding provided by this measure will help to ensure that residents across the State have prompt access to emergency health care, including residents of the fast-growing Central Maui area.

As affirmed by the record of votes of the members 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. 1245, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1762      Judiciary on H.B. No. 781**

The purpose and intent of this measure is to require that a child under eighteen years of age who is under custody of an officer have contact with legal counsel, and to the extent practicable, a parent, guardian, or legal custodian, before the child waives any right against self-incrimination and before any custodial interrogation.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Human Rights for Kids, Community Alliance on Prisons, and eight individuals.

Your Committee finds it essential that individuals subject to custodial interrogation by the State are advised of their rights, and that, if they so choose, they make a knowing, intelligent, and voluntary waiver of those rights before the interrogation proceeds. Your Committee further finds that children have a lesser ability to comprehend the meaning of their rights and the consequences of waiving them. Your Committee also finds that children are also much more vulnerable to psychologically coercive interrogations and in other dealings with law enforcement compared to adults, and according to testimony received by your Committee, in 2017, six out of seven children under the age of fourteen who confessed to having committed a crime were later exonerated because they had falsely confessed. Similarly, nearly sixty percent of children aged fourteen and fifteen in the same situation reported giving false confessions. This measure will reduce incidents of false confessions and wrongful convictions of children by ensuring that children under the age of eighteen have access to legal counsel before any custodial interrogation, and if they choose to waive any right against self-incrimination, they do so with full understanding of the consequences.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 781, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1763      Transportation and Culture and the Arts on H.B. No. 340**

The purpose and intent of this measure is to designate April 27 of each year as Brother Joseph Dutton Day.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Joseph Dutton Guild, Congregation of the Sacred Hearts, and five individuals.

Your Committee finds that interest in the history of Kalaupapa has seen a strong resurgence after generations of disinterest and neglect. Following an order by King Kamehameha V, Kalaupapa Peninsula on the island of Molokai became a designated site for Hansen's disease patients. Many residents exiled were disproportionately Native Hawaiian, with a peak of one thousand two hundred residents. Caregivers who preserve Kalaupapa and its history bring a sense of humanity back to the residents who were exiled to live out the remainder of their lives in Kalaupapa and courageous volunteers who risked their own lives to bring comfort and care to the population there.

Your Committee additionally finds that Brother Joseph Dutton, born Ira Barnes Dutton, served in the Union Army during the American Civil War from 1861 to 1865. Following the Civil War, Dutton suffered from a failed marriage, alcoholism, probable post-traumatic stress disorder, and other personal problems. Vowing to reform his life, Dutton learned about the work of Father Damien and arrived at Kalaupapa in 1886 to dedicate the rest of his life in service to the patients there. Following the death of Father Damien, Dutton managed the Baldwin Home for Boys, an institution that, by 1926, cared for 1,376 boys and men. After forty-four years of dedicated service, as Dutton had never left Kalaupapa after his arrival in 1886, Dutton passed away in 1931.

Your Committee further finds that honoring Brother Joseph Dutton's work at Kalaupapa not only recognizes his invaluable sacrifice, but also allows the story and history of Kalaupapa to remain alive for future generations. As history is a dialogue between the past and present, this measure recognizes April 27 of each year as Brother Joseph Dutton Day to honor Dutton's work and the history of Kalaupapa.

Your Committee has amended this measure by inserting an effective date of June 30, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 340, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 340, 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, 4. Noes, none. Excused, 1 (Inouye).

**SCRep. 1764      Judiciary on H.B. No. 92**

The purpose and intent of this measure is to:

- (1) Increase the amount of fine from \$1,000 to \$5,000 that may be assessed against a noncandidate committee making only independent expenditures that has received at least one contribution of more than \$10,000, or spent more than \$10,000 in an election period, for campaign spending law violations; and
- (2) Allow the Campaign Spending Commission to order the fine to be up to three times the amount of the unlawful contribution or expenditure, and to order 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, Commission to Improve Standards of Conduct, and two individuals.

Your Committee finds that the Campaign Spending Commission is funded by various sources and enforces the State's campaign finance laws, including the assessment of fines for campaign spending violations. Increasing campaign spending violation fines is necessary in enforcement cases to deter potential violators, including political action committees that make only independent expenditures. Implementation of this measure promotes the integrity and transparency of the campaign finance process and ensures the continued enforcement of the State's campaign finance laws.

Your Committee has amended this measure by specifying that the payment of any fine assessed against a noncandidate committee, or any portion thereof, be paid from the funds of the noncandidate committee or, if the noncandidate committee cannot pay, then from the personal funds of the candidate or officers of the noncandidate committee.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 92, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 92, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1765 (Majority) Commerce and Consumer Protection on H.B. No. 1027**

The purpose and intent of this measure is to:

- (1) Enable timely, coordinated, and efficient regulation of money transmission companies to achieve financial stability and economic growth, while providing consumer protection; and
- (2) Allow the State to share resources, data, and technology tools with other states to create a stronger multi-state system of financial regulation.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; ALTRES, Inc.; and The Payroll Group. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Independent Payroll Providers Association.

Your Committee finds that the business of money transmitters has evolved with advances in financial technology. However, the State's existing laws regulating money transmitters do not reflect the modern advances in technology or provide sufficient consumer protection. This measure aligns the State's money transmitters law with the Model Money Transmitters Modernization Act (Model Act), thus providing the benefit of a stronger multi-state system of financial regulation.

Your Committee notes that H.B. No. 1027, H.D. 2, amended the definitions of "money", "money transmission", "outstanding money transmission obligation", and "payment instrument" to align them with their respective definitions under the Model Act. However, the Division of Financial Institutions, who requested this administrative measure, purposefully and intentionally did not accept the proposed Model Act definitions to exclude regulating digital currency. Therefore, amendments to this measure are necessary to revert these definitions to the language set forth in the H.D. 1 of this measure.

Accordingly, your Committee has amended this measure by:

- (1) Amending the definitions of "money", "money transmission", "outstanding money transmission obligation", and "payment instrument" to conform to their respective definitions as provided in H.B. No. 1027, H.D. 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1027, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1027, 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, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1766 Commerce and Consumer Protection on H.B. No. 1458**

The purpose and intent of this measure is to increase the liquor manufacturing limits for Class 18 small craft producer pub license holders.

Your Committee received testimony in support of this measure from Big Island Brewhaus, LLC; Kauai Beer Company; Maui Wine, Ltd.; Honolulu Beerworks; Craft 'Ohana; Lanikai Brewing Company; and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Liquor Wholesalers Association and one individual.

Your Committee finds that existing law places limits on the amount of malt beverages, wine, and alcohol that a small craft producer pub licensee may produce during the license year. The existing limits can stifle economic growth for a small craft producer, or the

industry at large. To meet current demands and promote economic growth, these production limits should be increased. This measure accordingly allows local businesses to continue to expand economic growth and, in doing so, increase manufacturing job opportunities.

Your Committee finds that this measure, as currently drafted, could potentially be subject to a constitutional challenge as discriminating against out-of-state manufacturers. Accordingly, your Committee has amended this measure by deleting language that would have restricted a small craft producer pub licensee's manufacturing limit to malt beverages, wine, and alcohol manufactured 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 is in accord with the intent and purpose of H.B. No. 1458, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1458, 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, none.

**SCRep. 1767 Commerce and Consumer Protection on H.B. No. 259**

The purpose and intent of this measure is to:

- (1) Prohibit the use of 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 on or after July 1, 2025; and
- (2) Prohibit the 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 the State.

Your Committee received testimony in support of this measure from two members of the Hawai'i County Council; Hawaii Coffee Association; Rancho Aloha Coffee Farm; Kananani Ohana Farm; Synergistic Hawai'i Agriculture Council; Hawai'i Farm Bureau; Institute for Agriculture and Trade Policy; Full Moon Coffee; Smithfarms; Morning Glory Farms, LLC; Buddha's Cup Coffee; Buna Coffee Company; Cassandra Farms; Ka'awaloa Trail Farm, LLC; Kona Coffee Farmers Association; Kahili Kona Farm; LavaRock Farm; Country Talk Story; Consumer Federation of America; Mai Mahealani Farm; Ma'alaha Farm; Kuaiwi Farm; Hawaii's Thousand Friends; Chamber of Sustainable Commerce; Ka'u Coffee Mill; Kona Earth, LLC; and twenty-five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Coffee Company, Kona Coffee Council, and Hawai'i Restaurant Association. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that Hawaii is the only region in the world where local laws allow the use of the region in the name of the product with only ten percent genuine regional content. When consumers purchase what they believe is "Kona Coffee", but is in fact ninety percent foreign-grown, local farmers suffer economically. This measure protects consumers by promoting integrity in the labeling of products and supports one of the State's most valuable signature crops.

Your Committee acknowledges the concerns raised in testimony that this measure, as currently written, does not allow sufficient time for coffee producers and retailers to sell existing inventory before the more stringent labeling requirements go into effect. Accordingly, amendments to this measure are necessary to address these concerns.

Therefore, your Committee has amended this measure by:

- (1) Clarifying that the labeling requirements imposed by this measure shall not apply to roasted or instant coffee produced in whole or in part from Hawaii-grown green coffee beans that are not offered for retail sale directly to consumers;
- (2) Extending the effective dates of the phasing in of new labeling and advertising requirements by one year to allow for a commercially-reasonable period to sell-off existing, costly packaging inventory and to secure new packaging in compliance with new requirements imposed by this measure;
- (3) Inserting language allowing retailers who, by June 30, 2024, purchase roasted or instant coffee blends that use a geographic origin in labeling or advertising containing less than twenty percent Hawaii-grown coffee by weight, to sell-off their coffee inventory that does not comply with the labeling requirements until December 31, 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 259, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 259, 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, none.

**SCRep. 1768 Commerce and Consumer Protection on H.B. No. 16**

The purpose and intent of this measure is to:

- (1) Authorize liquor licensees engaged in meal service to sell unopened beer, wine, and prepackaged cocktails with food for pick up, delivery, take out, or other means to be consumed off-premises; and
- (2) Authorize liquor licensees holding class 4 retail dealer licenses to deliver purchased liquor to a customer's vehicle.

Your Committee received testimony in support of this measure from the Retail Merchants of Hawaii, Kauai Beer Company, Big Island Brewhaus, Honolulu Beerworks, Craft 'Ohana, Lanikai Brewing Company, Waikiki Brewing Company, Maui Chamber of Commerce, and one individual. Your Committee received comments on this measure from the Liquor Commission for the City and County of Honolulu and Department of Liquor Control for the County of Kauai.

Your Committee finds that the coronavirus disease 2019 pandemic brought about changes in customers' purchasing habits. Consumers purchased more merchandise and meals online and used curbside pick-up. Many restaurants were allowed to include unopened beer, wine, and bottled or canned cocktails. Although these measures were implemented to support local businesses during the pandemic, takeout meals and curbside pickup have become permanent customer demands. Your Committee also finds that the county liquor commissions and liquor control adjudication boards did not experience an increase of complaints or compliance problems as a result of these pandemic-related policies. Accordingly, this measure permanently authorizes these pandemic-related liquor policies, thus adapting to evolving consumer demands.

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 H.B. No. 16, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 16, 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, 4. Noes, none. Excused, 1 (Fukunaga).

**SCRep. 1769 Commerce and Consumer Protection on H.B. No. 369**

The purpose and intent of this measure is to exempt a public utility and water carrier from obtaining the required Public Utilities Commission (PUC) authorization when disposing of a fully depreciated asset or property with a zero net book value.

Your Committee received testimony in support of this measure from Hawaiian Electric; Young Brothers, LLC.; Matson, Inc.; and Hawaii Harbor Users Group. Your Committee received testimony in opposition to this measure from Climate Protectors Hawai'i. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committee finds that existing law requires a utility company to obtain approval from the PUC for each asset or property it seeks to dispose of or donate. These assets often have minimal remaining value, and therefore, do not justify the expenditure of resources to go through the required PUC approval. This measure allows utility companies to efficiently dispose of these assets and decreases the workload for the PUC and Division of Consumer Advocacy, which currently must review these routine transactions.

Your Committee acknowledges the concerns raised in testimony that although an asset may be fully depreciated or have a zero book value for accounting purposes, it may still have actual value. Therefore, amendments to this measure are necessary to ensure that consumers benefit from any potential windfall gained from the sale of a fully depreciated or zero net book value asset that has actual value.

Accordingly, your Committee has amended this measure by clarifying that a public utility or water carrier does not need authorization from the PUC when:

- (1) Disposing of a fully depreciated asset or property with a zero net book value that is no longer used or useful; provided that the disposal is made to an unaffiliated entity and results in a zero or net reduction to the public utility or water carrier's rate base; or
- (2) Donating a fully depreciated asset or property with zero net book value to a charitable or nonprofit organization.

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. 369, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 369, 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, none. Excused, 1 (Richards).

**SCRep. 1770 Commerce and Consumer Protection on H.B. No. 11**

The purpose and intent of this measure is to:

- (1) Specify that primary and secondary plan documents be listed in the public disclosure statement of a time share plan;
- (2) Clarify when the disclosure of pertinent provisions of condominium project instruments must occur;
- (3) Clarify the manner in which the required disclosure of liens, title defects, or encumbrances on the titles of units may be made;
- (4) Provide that a consultant's review of encumbrances may be waived upon the certification from the developer that the time share interest is free and clear of blanket liens or that identifies all blanket liens; and
- (5) Require the Director of Commerce and Consumer Affairs to include in the annual time share plan report to the Legislature information regarding developers' certifications.

Your Committee received testimony in support of this measure from the American Resort Development Association – Hawaii, Hilton Grand Vacations, Marriott Vacations Worldwide Corporation, Maui Hotel & Lodging Association, and one individual. Your Committee received testimony in opposition to this measure from UNITE HERE Local 5. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the laws governing time sharing plans in Hawaii were first adopted in 1980. At the time, most time sharing plans were confined to a single site and buyers would typically receive a deed of a fractional interest in a specific condominium unit together with the right to use that unit for a specific week every year. Listing the encumbrances for a single condominium project was simple and added one or two pages to the disclosure statement. It was also appropriate since the buyer would be a co-owner of a condominium unit in the condominium project. However, modern time share plans frequently involve hundreds of units at dozens of sites. The list of encumbrances, which formerly added one or two pages, now adds fifty or more pages to the disclosure statement and lists items that are not likely to be of interest to the time share buyer, such as electrical easements and waterline easements. Furthermore, in modern time share plans, buyers do not typically receive a deed to a unit at any given site. Instead, title is lodged in a land trust, and buyers own a beneficial interest in the trust. As a result, if the disclosure statement becomes too long, buyers will likely not read any of it. This measure decreases the size of disclosure statements provided to time share buyers and promotes consumer protection by increasing access to documents electronically and simplifying review processes.

Your Committee notes that the Department of Commerce and Consumer Affairs Time Share Program and relevant stakeholders have had an opportunity to discuss potential amendments to this measure that further streamline the document review process while protecting consumers' interest. Amendments to this measure are therefore necessary to incorporate this consensus language.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have required a time share developer offering a time sharing plan to disclose to the public a list of its supplementary plan documents;
- (2) Clarifying that a consultant's review of encumbrances shall be waived upon the certification from the developer that the time share interest is free and clear of blanket liens or that identifies all blanket liens;
- (3) Deleting language that would have required the Director of Commerce and Consumer Affairs to include in the annual time share plan report to the Legislature information regarding developers' certifications; 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. 11, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 11, 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, 4. Noes, none. Excused, 1 (Richards).

**SCRep. 1771      Judiciary on H.B. No. 727**

The purpose and intent of this measure is to:

- (1) Repeal the allowance for a ballot issue committee to donate surplus funds to a community service, educational, youth, recreational, charitable, scientific, or literary organizations; and
- (2) Repeal the allowance for a candidate, treasure, or candidate committee to use campaign funds to purchase up to two tickets for an event or fundraiser held by another candidate or committee.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Commission to Improve Standards of Conduct, Pono Hawaii Initiative, and three individuals. Your Committee received testimony in opposition to this measure from the League of Women Voters of Hawaii.

Your Committee finds that the practice of purchasing tickets for an event or fundraiser held by another candidate or committee is commonplace amongst legislators. However, candidates or candidate committees should not have a disproportionate influence on the outcome of other candidates' elections. On the other hand, since some members of political parties have greater access to fundraising than other party members, it makes sense to allow some amount of financial assistance from one candidate to another.

Your Committee has amended this measure by:

- (1) Adding language that allows a candidate committee to make contributions to another candidate in an amount of not more than \$2,000 per election period; and
- (2) Inserting an effective date of March 22, 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. 727, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 727, 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, none.

**SCRep. 1772      Commerce and Consumer Protection on H.B. No. 1509**

The purpose and intent of this measure is to establish a Common-Interest Development Oversight Task Force to examine the feasibility of bringing the various common-interest developments in the State under the oversight of the Department of Commerce and Consumer Affairs and investigate whether additional duties and responsibilities should be placed on members of boards of directors for cooperative housing corporations.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Council of Community Associations, Palehua Hale AAOA, and ten individuals. Your Committee received testimony in opposition to

this measure from the Committee of the Community Associations Institute, Hawaii Chapter; Honolulu Tower AOA; and thirteen individuals. Your Committee received comments on this measure from Hui 'Oia'i'o and two individuals.

Your Committee finds that common-interest developments exist in a variety of forms in the State, including condominium property regimes, planned communities, and cooperative housing corporations. In these developments, individuals own property within the development, share ownership and use of common property with all other owners, and participate in a system of self-governance through an association or corporation of the owners within the development. When disputes between individual owners of planned communities and cooperative housing corporations and their governing association or corporation arise, the parties must privately resolve their disputes through their internal processes or the judicial process. Such a resort may be costly to the owner in comparison to the gravity of the dispute and an alternative mechanism for oversight should be examined. This measure establishes a task force within the Department of Commerce and Consumer Affairs to improve governance of planned communities and cooperative housing corporations.

Your Committee acknowledges the concerns raised in testimony that although the different common-interest developments share similar features, condominium property regimes, planned community associations, and cooperative housing corporations are each governed by different statutes and rules, and thus, there should be separate task forces established to examine the respective issues specific to the type of common-interest development. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have established a singular Common-Interest Development Oversight Task Force to investigate the feasibility of bringing the various common-interest developments in the State under the Department of Commerce and Consumer Affairs, including but not limited to registration and enforcement of the controlling chapters 421I, 421J, and 514B, Hawaii Revised Statutes;
- (2) Inserting language establishing a Planned Community Association Oversight Task Force to examine the rights afforded to condominium property regime owners under chapter 514B, Hawaii Revised Statutes, and determine the feasibility of extending any of those rights to members of planned community associations under chapter 421J, Hawaii Revised Statutes;
- (3) Inserting language establishing a Condominium Property Regime Task Force to examine and evaluate issues regarding condominium property regimes under chapter 514B, Hawaii Revised Statutes, and conduct an assessment of the alternative dispute resolution systems that have been established by the Legislature;
- (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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1509, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1509, 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, 4. Noes, none. Excused, 1 (Richards).

#### **SCRep. 1773 Ways and Means on H.B. No. 1018**

The purpose and intent of this measure is to ensure that the State remains in compliance with certain federal conditions related to the expenditure of American Rescue Plan Act funds.

Specifically, this measure delays the encumbrance and expenditure of certain general fund appropriations authorized in the Regular Session of 2022 until July 1, 2023, so the appropriations are no longer part of the fiscal year 2022-2023 American Rescue Plan Act maintenance of effort calculation.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Budget and Finance, Stadium Authority, and Hawaii Housing Finance and Development Corporation.

Your Committee finds that, as a condition of receiving funds under the American Rescue Plan Act, the State was required to maintain state support for elementary and secondary education at a certain level relative to the State's overall spending. However, various large, non-education-related appropriations have made compliance with these spending requirements difficult. Your Committee further finds that delaying the expenditure of these appropriations until fiscal year 2023-2024 will allow the State to meet its obligations under the American Rescue Plan Act without adversely affecting other state programs.

Your Committee has amended this measure by:

- (1) Appropriating an unspecified sum to establish within the Office of the Governor one full-time equivalent (1.0 FTE) temporary federal funds advisor position and two full-time equivalent (2.0 FTE) temporary senior special assistant positions;
- (2) Changing certain appropriations made in Acts 115, 236, and 296, Session Laws of Hawaii 2022, which are amended by this measure, to unspecified sums 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 H.B. No. 1018, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1018, 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, 13. Noes, none. Excused, none.



**SCRep. 1774 Ways and Means on H.B. No. 1020**

The purpose and intent of this measure is to increase from \$1,300,000 to \$2,500,000 the limitation on the amount of moneys that may be retained in the unclaimed property trust fund at the end of each fiscal year.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and one individual.

Your Committee recognizes that pursuant to section 523A-26(d), Hawaii Revised Statutes, all unencumbered and unexpended moneys in excess of \$1,300,000 remaining on balance in the unclaimed property trust fund on June 30 of each year lapse to the credit of the general fund. Your Committee also recognizes that claims waiting to be paid from the prior fiscal year often exceed this amount, resulting in delays in payments for those claims. Accordingly, your Committee finds that increasing this limitation will facilitate the timely processing and payment of claims.

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. 1020, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1020, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1775 Ways and Means on H.B. No. 1022**

The purpose and intent of this measure is to address a critical funding emergency caused by the repeal of section 72 of Act 88, Session Laws of Hawaii 2021 (Act 88), which limited the ability of departments to transfer funds between their programs in response to changing conditions.

More specifically, the measure addresses the repeal of section 72 of Act 88 by:

- (1) Appropriating additional general funds as emergency appropriations for fiscal year 2022-2023 for operating fund shortfalls in quarters 3 and 4 in existing programs under the Department of Public Safety, Department of Transportation, and Department of Human Services; and
- (2) Adjusting funding for various programs in these departments to be commensurate with their anticipated levels of activity.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Department of Public Safety.

Your Committee finds that this measure's emergency appropriations and funding adjustments are budget neutral and are necessary to continue critical government programs and operations.

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. 1022, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1022, 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, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1776 Ways and Means on H.B. No. 1327**

The purpose and intent of this measure is to provide financial support to teachers.

Specifically, this measure establishes a state income tax credit for qualified expenses incurred by certain individuals employed by the Department of Education, the Hawaii State Public Library System, or as part of a Head Start program in a school.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Hawaii State Teachers Association-Retired, and seven individuals.

Your Committee received comments on this measure from the Department of Education and Department of Taxation.

Your Committee finds that, in a recent survey to its members across the islands, the Hawaii State Teachers Association found that survey respondents reported spending an average of \$953 of their own money each year to purchase various classroom supplies. Your Committee also finds that, according to numerous studies of teacher compensation, Hawaii's public school teachers receive the lowest salaries in the nation when adjusted for cost of living. As a result, your Committee further finds that when Hawaii public school teachers are forced to purchase classroom supplies with their personal funds because of inadequate school funding, they face a disproportionately adverse financial impact in comparison to their national peers.

Your Committee has amended this measure by clarifying that the measure shall apply 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. 1327, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1327, 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, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1777 Ways and Means on H.B. No. 27**

The purpose and intent of this measure is to provide a vehicle for legislative appropriations that may be necessary for inclusion in the General Appropriations Act of 2023.

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

Your Committee finds that advancing a vehicle for legislative appropriations that may be necessary for inclusion in the General Appropriations Act of 2023 will allow the Legislature to address unforeseen circumstances or budgetary items that may arise.

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. 27, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 27, 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, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1778 Ways and Means on H.B. No. 28**

The purpose and intent of this measure is to provide a vehicle for statutory provisions and appropriations that may be necessary to include in the General Appropriations Act of 2023.

Your Committee received no testimony on this measure.

Your Committee finds that advancing a vehicle for statutory provisions and appropriations that may be necessary to include in the General Appropriations Act of 2023 will allow the Legislature to address unforeseen circumstances or budgetary items that may arise.

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. 28, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 28, 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, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1779 Ways and Means on H.B. No. 33**

The purpose and intent of this measure is to authorize the issuance of general obligation bonds and make constitutionally required findings 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 further finds that this measure serves as a vehicle for those findings and the issuance of those bonds once the appropriate amount of general obligation bonds has been determined.

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. 33, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 33, 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, 8. Noes, none. Excused, 5 (Aquino, Kidani, Kim, Moriwaki, Shimabukuro).

**SCRep. 1780 Ways and Means on H.B. No. 954**

The purpose and intent of this measure is to amend the State's tax laws to provide tax relief for working families.

More specifically, the measure:

- (1) Increases the amounts for the income tax brackets and personal exemption and standard deduction amounts for tax year 2023;
- (2) Adjusts annually for tax years beginning after December 31, 2023, the income tax brackets and personal exemption and standard deduction amounts by a cost-of-living adjustment factor;
- (3) Amends the taxable income brackets and income tax rates for each filing status for taxable years beginning after December 31, 2022; and

- (4) Changes the amount of the state earned income tax credit to an unspecified percentage of the federal earned income tax credit allowed based on an individual's federal income tax return.

Your Committee received written comments in support of this measure from the Office of the Governor, Hawaii State Teachers Association, Early Childhood Action Strategy, Better Tomorrows, Holomua Collaborative, Parents and Children Together, Democratic Party of Hawaii Education Caucus, Aloha United Way, Hawaii Children's Action Network Speaks!, Progressive Democrats of Hawaii, and numerous individuals.

Your Committee received written comments on this measure from the Department of Taxation, Department of Budget and Finance, Tax Foundation of Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Hawaii Children's Action Network Speaks!, Imua Alliance, Grassroot Institute of Hawaii, and two individuals.

Your Committee finds that the tax relief provided by this measure for low- to moderate-income taxpayers will allow the State's residents to retain more of their income, and will help address cost of living increases.

Your Committee has amended this measure by:

- (1) Deleting section 5 of the measure, which would have amended the amount of the State's earned income tax credit; and
- (2) Making the measure effective upon its approval and applicable 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. 954, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 954, 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, 10. Noes, none. Excused, 3 (Kidani, Moriwaki, Shimabukuro).

**SCRep. 1781 (Joint) Energy, Economic Development, and Tourism and Ways and Means on H.B. No. 1373**

The purpose and intent of this measure is to, beginning January 1, 2024, require the Department of Business, Economic Development, and Tourism to administer a Workforce Development Incentive Rebate Program that incentivizes local independent film and television productions.

Your Committees received testimony in support of this measure from the Screen Actors Guild – American Federation of Television and Radio Artists; Teamsters Local 996; Island Film Group; Hawaii Media, Inc.; IATSE Local 665; and eighteen individuals. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism and Department of Taxation.

Your Committees find that the Hawaii film industry has continued to grow over the past twenty years and has contributed to an increase of local crew members and equipment vendors. Hawaii's existing tax incentives, however, are beneficial mostly for large-scale productions, as the process of claiming the tax credit can take years, which can significantly burden smaller-scale productions. This measure establishes a Workforce Development Incentive Rebate Program to encourage the growth of local independent film and television productions.

Your Committees further find that the Motion Picture, Digital Media, and Film Production Income Tax Credit's existing \$50,000,000 annual cap is not reflective of the current volume of business for the State's film industry and does not provide enough room for growth. Your Committees believe that an additional Film Studio Tax Credit should be established to expedite the tax credit process and reflect the growth of the motion picture, digital media, and film industry in the State. Senate Bill No. 1237, S.D. 1 (2023), which was previously passed by the Senate, establishes the Film Studio Tax Credit and makes certain amendments to the Motion Picture, Digital Media, and Film Production Income Tax Credit to further strengthen and create greater opportunities for growth for Hawaii's film industry.

Accordingly, your Committees have amended this measure by:

- (1) Capping the total amount of rebates allowed under the Workforce Development Incentive Rebate Program at \$2,500,000 for fiscal year 2024-2025;
- (2) Inserting language from Senate Bill No. 1237, S.D. 1 (2023) establishing a Film Studio Tax Credit beginning January 1, 2024, and:
  - (A) Setting December 31, 2032 as the sunset date for the tax credit; and
  - (B) Capping the total annual amount of credits at \$25,000,000 in the aggregate;
- (3) Inserting language from Senate Bill No. 1237, S.D. 1 (2023) amending the administration of the Motion Picture, Digital Media, and Film Production Income Tax Credit;
- (4) Increasing the cap of the Motion Picture, Digital Media, and Film Production Income Tax Credit to \$75,000,000 for calendar year 2024;
- (5) Eliminating the ability for credits exceeding the cap of the Motion Picture, Digital Media, and Film Production Income Tax Credit to be claimed after December 31, 2024;
- (6) Inserting a severability clause;
- (7) Amending section 1 to reflect its amended purpose;
- (8) Inserting an effective date of January 1, 2024; and

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

Your Committees note that the intent of this measure, as amended herein, is to increase the cap of the Motion Picture, Digital Media, and Film Production Income Tax Credit in 2024 to cover and carry over any outstanding credits for 2024. It will be the responsibility of the Creative Industries Division of the Department of Business, Economic Development, and Tourism to track the credit amounts and ensure that the credit amounts do not exceed the \$75,000,000 cap in 2024 or the \$50,000,000 cap in subsequent years.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1373, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1373, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Signed by President and the Chair on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Keith-Agaran, Moriwaki).

**SCRep. 1782 Ways and Means on H.B. No. 1049**

The purpose and intent of this measure is to reduce the cost of living by providing tax relief to low- and middle-income households and working families.

Specifically, this measure:

- (1) Establishes an income tax credit for teachers' expenses;
- (2) Establishes a definition for the term "cost-of-living adjustment factor;"
- (3) Amends the child and dependent care tax credit by:
  - (A) Increasing the applicable percentage of employment-related expenses that is used to calculate the amount of the tax credit;
  - (B) Setting the income threshold amount, for taxable years beginning after December 31, 2022, at \$150,000;
  - (C) Requiring that, for each taxable year beginning after December 31, 2023, the threshold amount be adjusted for inflation using a cost-of-living adjustment factor; and
  - (D) Increasing the cap amount on employment-related expenses that may be used to claim the tax credit; and
- (4) Amends the income tax credit for low-income household renters by:
  - (A) Making eligibility for the credit dependent on federal adjusted gross income instead of Hawaii adjusted gross income;
  - (B) Increasing the minimum annual rental payment requirement from \$1,000 to \$10,000;
  - (C) Requiring married persons to file a joint return;
  - (D) No longer excluding rental property that is partially or wholly exempted from real property tax;
  - (E) Increasing the amount of the tax credit from \$50 per exemption to \$350 per qualified exemption, reduced by a reduction factor based on filing status for every dollar of a taxpayer's adjusted gross income that exceeds a threshold amount; and
  - (F) Requiring that, for each taxable year beginning after December 31, 2023, the minimum annual rental payment requirement and threshold amounts be adjusted for inflation using a cost-of-living adjustment factor.

Your Committee received testimony in support of this measure from the Office of the Governor, Department of Budget and Finance, Department of Taxation, Executive Office on Early Learning, Commit to Keiki, Democratic Party of Hawaii Education Caucus, Early Childhood Action Strategy, Hawaii Children's Action Network Speaks!, Hawaii Family Caregiver Coalition, Hawaii State Teachers Association, Holomua Collaborative, Parents and Children Together, The Samuel N. and Mary Castle Foundation, and twenty-two individuals.

Your Committee received comments on this measure from the Department of Education, AARP Hawaii, Catholic Charities Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Imua Alliance, Tax Foundation of Hawaii, and four individuals.

Your Committee finds that the high cost of living in the State has made it difficult for low- and middle-income households and working families to afford basic necessities. Your Committee further finds that this measure is intended to provide tax relief to reduce the cost of living for working families in the State.

Your Committee has amended this measure by:

- (1) Deleting the provisions establishing an income tax credit for teachers' expenses because it is included in another measure;
- (2) Deleting the provisions amending the income tax credit for low-income household renters;
- (3) Clarifying that eligibility for the child and dependent care tax credit is dependent on federal adjusted gross income;
- (4) Increasing the amount of the refundable earned income tax credit;
- (5) Increasing the income thresholds and credit amounts of the refundable food/excise tax credit; and
- (6) 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. 1049, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1049, 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, 11. Noes, none. Excused, 2 (Kidani, Moriwaki).

**SCRep. 1783 Ways and Means on H.B. No. 300**

The purpose and intent of this measure is to appropriate funds for the operating and capital improvement program costs of the executive branch for the fiscal biennium beginning July 1, 2023, and ending June 30, 2025.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Hawaii Technology Development Corporation; Public Utilities Commission; Hawaii Climate Change Mitigation and Adaptation Commission; Hawaii Correctional System Oversight Commission; Hawaii Green Infrastructure Authority; Office of the Lieutenant Governor; Michigan Office of Legislative Corrections Ombudsman; Executive Office on Aging; Hawaii State Public Library System; University of Hawaii System; Department of Business, Economic Development, and Tourism; Criminal Justice Research Institute; Department of Law Enforcement; Department of Agriculture; State Council on Developmental Disabilities; Hawaii Public Housing Authority; Department of Health; Office of Information Practices; Department of Labor and Industrial Relations; Hawaii Community Development Authority; Hawaii Health Systems Corporation; University of Hawaii at Hilo Athletics Department; Office of the Governor; Early Learning Board; Department of Hawaiian Home Lands; Department of Defense; University of Hawaii at Manoa Athletics Department; Land Use Commission; Special Education Advisory Council; Honolulu Board of Water Supply; AARP Hawaii; United Public Workers; Correctional Association of New York; Women's Prison Project; HIplan; Adaptations Inc.; Going Home Hawaii; Experiad LLC; Blue Startups; HE'E Coalition; New Jersey Corrections Ombudsman; Pennsylvania Prison Society; 3D Innovations; Community Alliance on Prisons; Catholic Charities Hawaii; John Howard Association of Illinois; Nalu Scientific, LLC; Oceanit; The Friends of Iolani Palace; Aloha Shoyu Company, Ltd.; Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34; Anuhea St. Laurent--Marriage and Family Therapy LLC; Sunrun; Elemental Excelsior; Hawaii Energy; Kapolei Chamber of Commerce; Paradise Park, Inc; MauiGrown Coffee, Inc.; The Nature Conservancy, Hawaii and Palmyra; Maui Health System; Mauna Kahalawai Watershed Partnership; Mana Up; Hawaii Venture Capital Association; Hyperspective Studios, Inc.; Hawaii Executive Collaborative's Climate Coalition; Healthcare Association of Hawaii; Hawaiian Electric; Pu'a Foundation; Ekolu Mea Nui; Smart Yields; Haleakala Ranch; Pau Hana Counseling, LLC; Kauhale Healing LLC; and fifty-eight individuals

Your Committee received testimony in opposition to this measure from the Kahoolawe Island Reserve Commission, Pacific American Foundation, and thirty-nine individuals.

Your Committee received comments on this measure from the Department of Public Safety; Department of Budget and Finance; School Facilities Authority; Office of Elections; Natural Energy Laboratory of Hawaii Authority; Department of Commerce and Consumer Affairs; Office of Planning and Sustainable Development; Department of Human Resources Development; a commissioner of the Kahoolawe Island Reserve Commission; Kamiloiki Elementary School; Department of Land and Natural Resources; Hawaii State Judiciary; Department of Accounting and General Services; Office of the Governor; Department of Education; Executive Office on Early Learning; Department of the Attorney General; Department of Human Services; Department of Taxation; Office of Youth Services; Hawaii Tourism Authority; State Public Charter School Commission; Department of Transportation; Department of the Prosecuting Attorney of the City and County of Honolulu; Department of the Prosecuting Attorney of the County of Maui; Hunt Development Group, LLC; Code.org; Pivot Energy; American Civil Liberties Union of Hawaii; Gentry Homes, Ltd.; Hope Services Hawaii; Hawaii Lodging and Tourism Association; and eight individuals.

**PART I. OVERVIEW**

This measure, as received by your Committee, includes:

- (1) The base budget from Act 248, Session Laws of Hawaii (SLH) 2022;
- (2) Previously appropriated collective bargaining amounts from 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 2023-2025 fiscal biennium; and
- (4) The reduction of non-recurring amounts identified in the 2022 and 2023 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, ceiling increases or decreases, and reductions from the steady-state budget proposed and developed by the previous administration, as well as Governor's Messages Numbers 1, 2, and 5; and
- (2) Additional funding for priority budget requests.

	Fiscal Year 2023-2024		Fiscal Year 2024-2025	
	All Funds	General Funds	All Funds	General Funds
Executive Budget Act 248, SLH 2022	\$16,753,577,848	\$8,670,830,979	\$16,753,577,848	\$8,670,830,979
Executive Budget Request	\$18,930,379,945	\$10,623,131,684	\$18,678,595,479	\$10,389,732,977
Net Change in Senate Draft	\$910,054,811	\$1,029,363,015	\$526,783,647	\$446,805,183
Total Appropriation	\$19,840,434,756	\$11,652,494,699	\$18,151,811,832	\$9,942,927,794

**PART II. GENERAL FUND REVENUES AND ECONOMY**

The Council on Revenues forecasted significant net decreases in its general fund tax revenue projection for fiscal year 2023 at its January 2023 and March 2023 meetings.

The Council reduced the estimated growth in revenues from 6.5 percent to 5.5 percent in January 2023, and from 5.5 percent to 2.0 percent in March 2023. The revised forecasts mean a reduction in revenues by \$334,000,000 in fiscal year 2023. The estimated reduction in revenues is primarily due to a one-time refund of either \$100 or \$300 per qualifying exemption for Hawaii residents, pursuant to article VII, section 6, of the Hawaii State Constitution.

The Council noted that lower capital gains income due to poor performance in the stock market and a cooling real estate market are likely causes of lower estimated tax payments. The Council also noted that inflation had dropped nationally and in Hawaii.

General excise tax and transient accommodation tax collections remain robust due to the recovery of tourist arrivals, renewed consumer spending, and additional tax collections due to inflation. Risks that may inhibit the economic recovery include new variants of the coronavirus disease 2019 (COVID-19) virus, inflation and an aggressive monetary policy response from the Federal Reserve, high oil and commodity prices, severe labor shortages, supply chain disruptions, sustained travel hesitancy from Asian markets due to the pandemic, and the reduction in federal stimulus spending.

Due to the recent strength of the United States dollar compared to foreign currencies, Hawaii also faces strong competition from international travel destinations, such as Europe. In particular, tourists from Japan may be less likely to travel to Hawaii due to the unfavorable foreign currency exchange rates between the yen and the United States dollar in comparison to the pre-pandemic exchange rate.

The new forecasts for the state general fund tax revenues for fiscal year 2023 through fiscal year 2029 are shown in the table below.

General Fund Tax Revenues		
Fiscal Year	Amount (in Thousands of Dollars)	Growth From Previous Year
2023	\$9,546,025	2.0%
2024	\$9,927,866	4.0%
2025	\$10,275,341	3.5%
2026	\$10,634,978	3.5%
2027	\$11,007,202	3.5%
2028	\$11,392,454	3.5%
2029	\$11,791,190	3.5%

**PART III. COMMITTEE’S PRIORITIES**

Your Committee has worked diligently to create a responsible financial plan and budget that continues to fund critical services and programs. The Senate’s approach to balancing the budget entails considering the Council on Revenues’ general fund forecast and creating a fiscally responsible financial plan that will infuse unprecedented appropriations to implement priorities, including priorities identified by Governor Josh Green. These priorities will:

- Address homelessness and the housing crisis;
- Contribute more to the emergency and budget reserve fund (EBRF), or “rainy day fund”;
- Increase access to early childhood education;
- Mitigate and adapt to climate change; and
- Increase health and wellness across the State.

Your Committee crafted a budget that intends to create a tipping point in addressing the housing crisis, cost of living, and climate change, while also improving health and wellness outcomes for Hawaii’s residents. The Senate, in support of the Green Administration’s priorities, believes that it is putting forth a budget that will ensure that the people who call Hawaii home will not just survive, but thrive. With a general fund carry-over of \$2,200,000,000, fiscal year 2024 appropriations include numerous one-time expenditures that target the most pressing needs of the State.

On the Opening Day of the current legislative session, Governor Green announced a \$1,000,000,000 commitment to combat Hawaii's housing crisis. In the Senate budget, we provide further details that address the Governor's promise to the State. Your Committee has earmarked \$1,000,000,000 for projects intended to meet a wide spectrum of economic need, including:

- Housing and transit-oriented development infrastructure (S.B. No. 1191);
- Teacher workforce housing (S.B. No. 941);
- Rent supplement assistance for middle income families;
- Dwelling unit revolving fund loans and infrastructure projects (this measure);
- Rental housing revolving fund moneys for low-income individuals and families (this measure); and
- Ohana Zones and Kauhale to support our most vulnerable and chronically homeless individuals (this measure).

\$100,000,000 has been set aside for the fiscal biennium in both the operating and capital improvement program budgets for projects to mitigate and adapt to climate change. These include but are not limited to:

- Honokohau Small Boat Harbor, \$14,000,000;
- Relocation of Kauai Community Correctional Center due to the widening of Kuhio Highway and the facility's current siting within a flood zone, \$3,000,000;
- Carbon Smart Land Management Assistance Pilot Program, \$1,000,000;
- Pohoiki Boat Ramp, \$30,000,000; and
- Highway drainage improvements, statewide, \$3,600,000.

The Green Affordability Plan intends to control the high cost of living here in Hawaii. To this end, the Senate is committing \$354,000,000 in fiscal year 2024 and \$338,000,000 in fiscal year 2025 in tax relief and exemptions, which include:

- Increasing the food/excise tax credit, which doubles the food and excise tax credit and increases the income threshold to \$40,000 for single filers and \$80,000 for married joint filers to help low-income taxpayers;
- Increasing the earned income tax credit (EITC) from twenty percent of the federal EITC to forty percent of the federal EITC. This will double the amount of the EITC for taxpayers for low-income households with children. The EITC is designed to help working families with incomes around or slightly above the federal poverty line;
- Increasing the child and dependent care tax credit amount of allowable childcare expenses from \$2,400 to \$10,000 for one child and from \$4,800 to \$20,000 for two or more children. The maximum refundable credit allowable will be \$5,000 for one child and \$10,000 for two or more children. This will help working parents;
- Individual income tax reform through cost-of-living adjustments. This annual adjustment to individual income tax brackets will benefit all taxpayers and ensure that lower-income taxpayers are not pushed into higher-income tax brackets when they receive cost-of-living adjustments to their wages;
- Individual income tax reform through increased standard deductions. This reform will increase the standard deduction from \$2,200 to \$5,000 for single filers and from \$4,400 to \$10,000 for filers who are married and filing jointly, to help low- to medium-income taxpayers; and
- Individual income tax reform by doubling the personal exemption. This reform will increase the personal exemption from \$1,144 to \$2,288 and will help families with children.

Your Committee has set aside millions in general funds for new statutory mandates that provide mental and behavioral healthcare for individuals from keiki to kupuna, address the needs of those with developmental disabilities, and solve healthcare workforce shortages. Appropriations include:

- Adding \$26,000,000 in general funds in both fiscal years for Department of Health service provider contract adjustments to account for inflation;
- Adding \$22,000,000 in general funds in both fiscal years for Department of Human Services service provider contract adjustments to account for inflation;
- Adding \$12,900,000 in general funds in fiscal year 2024 and \$14,100,000 in general funds in fiscal year 2025 for Medicaid Home and Community-Based Services waivers for individuals with intellectual and developmental disabilities;
- Adding \$10,000,000 in general funds in fiscal year 2024 and \$20,000,000 in general funds in fiscal year 2025 for the Hawaii State Loan Repayment Program for Healthcare Professionals;
- Adding \$7,000,000 for the Hawaii Keiki: Healthy and Ready to Learn initiative; and
- Adding \$898,560 for after-school care for students with disabilities.

#### **PART IV. OPERATING BUDGET**

##### Accounting and General Services

The Senate Draft of the executive budget for the Department of Accounting and General Services makes general funds appropriations of \$154,618,034 in fiscal year 2024 and \$128,435,515 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$75,146,887 in fiscal year 2024 and \$75,472,420 in fiscal year 2025.

Highlights are as follows:

- Adding 7.00 permanent positions and \$907,190 in fiscal year 2024 and \$994,772 in fiscal year 2025 for cloud-based financial systems;
- Adding 2.00 permanent positions and \$185,000 for the Office of Information Practices;
- Adding \$192,696 for salary differentials for the Office of Information Practices;
- Adding 2.00 permanent positions and \$259,280 in fiscal year 2024 and \$319,592 in fiscal year 2025 for the digitization of government records (Act 178, SLH 2022);
- Transferring-out \$3,342,309 to the Department of Taxation for the tax system modernization project;
- Adding \$5,000,000 for the relocation of the Data Center;
- Adding \$746,623 in fiscal year 2024 and \$1,555,006 in fiscal year 2025 for Microsoft licenses;
- Adding 13.00 permanent positions and \$1,044,400 in fiscal year 2024 and \$1,040,400 in fiscal year 2025 for the cloud-based financial systems in the Office of Enterprise Technology Services;
- Adding \$17,000,000 in fiscal year 2024 for insurance policy premiums;
- Adding \$2,000,000 in fiscal year 2024 for Capitol Building renovations;
- Adding \$1 for Oahu Community Correctional Center plans, design, and lease buyback;
- Adding \$500,000 in fiscal year 2024 and \$5,000,000 in fiscal year 2025 for the relocation of the Mapunapuna base yard;
- Adding 2.00 permanent positions and \$170,200 in fiscal year 2024 and \$160,244 in fiscal year 2025 for procurement (Act 176, SLH 2022);
- Adding 1.00 temporary position and \$259,000 in fiscal year 2024 and \$251,250 in fiscal year 2025 for the Small Business Assistance Initiative (Act 168, SLH 2022);
- Adding \$13,500 for the procurement past performance database (Act 188, SLH 2021);
- Transferring-out 75.00 permanent positions and \$5,755,493 to the Department of Education for neighbor island school repairs and maintenance;
- Adding \$3,718,308 in fiscal year 2024 for voter system contracts;
- Adding \$2,000,000 for Iolani Palace;
- Adding \$1 for Bishop Museum; and
- Adding \$1,987,142 in special funds to update the Emergency 911 hardware.

#### Agriculture

The Senate Draft of the executive budget for the Department of Agriculture makes general fund appropriations of \$34,610,994 in fiscal year 2024 and \$20,001,162 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$36,960,159 in fiscal year 2024 and \$37,295,966 in fiscal year 2025.

Highlights are as follows:

- Adding \$7,000,000 in fiscal year 2024 for coconut rhinoceros beetle control;
- Adding 2.00 permanent positions and \$255,792 in fiscal year 2024 and \$228,004 in fiscal year 2025 to continue bovine tuberculosis operations on Molokai;
- Increasing the federal funds ceiling by \$6,000,000 for grants for agricultural development;
- Adding \$500,000 in fiscal year 2024 to fund the Da Bux Program; and
- Increasing the revolving fund ceiling by \$600,000 in fiscal year 2024 and \$350,000 in fiscal year 2025 for pesticides drift monitoring.

#### Attorney General

The Senate Draft of the executive budget for the Department of the Attorney General makes general fund appropriations of \$49,202,891 in fiscal year 2024 and \$45,550,501 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$76,149,240 in fiscal year 2024 and \$73,097,088 in fiscal year 2025.

Highlights are as follows:

- Adding \$409,636 in fiscal year 2024 and \$426,484 in fiscal year 2025 for full-year funding for 11.00 positions;
- Adding \$470,000 to the litigation fund;
- Adding \$365,000 in fiscal year 2024 and \$94,000 in fiscal year 2025 for the eGrants Management System;
- Adding 4.00 permanent positions and \$406,288 for the Hawaii Correctional System Oversight Commission; and



- Adding 7.00 special agents, reducing 6.50 investigators, and adding \$396,782 in fiscal year 2024 and \$364,246 in fiscal year 2025 for the Special Investigations and Prosecution Division.

#### Business, Economic Development, and Tourism

The Senate Draft of the executive budget for the Department of Business, Economic Development, and Tourism makes general fund appropriations of \$908,446,792 in fiscal year 2024 and \$29,518,824 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$153,105,178 in fiscal year 2024 and \$154,636,053 in fiscal year 2025.

Highlights are as follows:

- Adding \$50,000 in fiscal year 2024 for the Kamaaina Connect Pilot Program;
- Adding \$5,000,000 in fiscal year 2024 for the Festival of Pacific Arts and Culture;
- Adding \$2,500,000 in fiscal year 2024 for programming of professional master classes for culinary;
- Adding \$500,000 in fiscal year 2024 and \$400,000 in fiscal year 2025 for international and arts programs;
- Adding \$225,000 for full-year funding for State Energy Office positions;
- Adding \$30,000 in special funds for energy software;
- Adding \$94,200 in general funds and \$166,911 in federal funds for labor research;
- Adding \$2,994,167 in fiscal year 2024 and \$3,382,618 in fiscal year 2025 for tourism research;
- Adding \$34,462,555 in fiscal year 2024 for green energy money saver (“GEMS”) loans;
- Adding \$57,306 in fiscal year 2024 for the Small Business Regulatory Review Board;
- Adding 1.00 permanent position and \$90,000 for the aerospace development coordinator;
- Adding 1.00 permanent position and \$90,000 for an asset manager for the Hawaii Technology Development Corporation;
- Adding \$500,000 for statewide coastal zone management;
- Adding \$25,060 for Land Use Commission travel;
- Adding \$400,000 in fiscal year 2024 for standardized vulnerability assessments;
- Adding \$400,000 for Phase II of the Waikiki Adaptation and Resilience Plan;
- Adding \$696,425,000 in fiscal year 2024 for transit-orientated development infrastructure (S.B. No. 1191);
- Adding 7.00 permanent positions and \$1,205,000 in special funds for the Hawaii Community Development Authority;
- Adding 1.00 permanent position and \$90,000 for the Agribusiness Development Corporation (Act 219, SLH 2022);
- Adding \$4,000,000 in fiscal year 2024 for Waihole Ditch debt service; and
- Adding \$1 for the Aloha Stadium Special District.

#### Budget and Finance

The Senate Draft of the executive budget for the Department of Budget and Finance makes general fund appropriations of \$4,048,436,310 in fiscal year 2024 and \$3,783,588,858 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$426,677,142 in fiscal year 2024 and \$424,487,176 in fiscal year 2025.

Highlights are as follows:

- Adding \$310,776 in fiscal year 2024 and \$331,872 in fiscal year 2025 for full-year funding for 8.00 positions;
- Adding \$33,000,000 in both fiscal years for broadband federal matching funds;
- Adding \$500,000,000 to the emergency and budget reserve fund;
- Adding 1.00 position and \$71,106 for the Office of the Public Defender;
- Adding \$257,446,927 for debt service funding;
- Adding \$61,938,702 for retirement benefits; and
- Reducing \$9,343,547 for health premium payments.

#### Commerce and Consumer Affairs

The Senate Draft of the executive budget for the Department of Commerce and Consumer Affairs makes non-general fund appropriations of \$108,029,694 in fiscal year 2024 and \$109,929,699 in fiscal year 2025.

Highlights are as follows:

- Increasing the ceiling by \$75,000 for the central services assessment;
- Increasing the ceiling by \$300,000 for the licensing database;

- Increasing the ceiling by \$10,500,000 for the King Kalakaua Building's roof;
- Increasing the ceiling by \$398,569 in fiscal year 2024 and \$142,821 in fiscal year 2025 for fringe benefits;
- Increasing the ceiling by \$750,000 for the Electric Vehicle Charging Rebate Program; and
- Increasing the ceiling by \$750,000 for the Hydrogen Fueling Rebate Program.

#### Defense

The Senate Draft of the executive budget for the Department of Defense makes general fund appropriations of \$49,891,976 in fiscal year 2024 and \$34,363,359 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$93,860,415 in fiscal year 2024 and \$87,783,722 in fiscal year 2025.

Highlights are as follows:

- Adding \$1,000,000 for deferred maintenance;
- Adding \$166,750 in general funds and \$500,250 in federal funds for student meals at the National Guard's Youth Challenge Academy in Hilo and Kapolei;
- Adding \$125,000 in fiscal year 2024 to replace the ceiling at the Youth Challenge Academy in Hilo;
- Adding 1.00 permanent military real property program manager position and \$62,682 in federal funds for fiscal year 2024 and \$121,563 in federal funds for fiscal year 2025 for the National Guard;
- Adding 1.00 permanent program analyst and \$48,050 in federal funds for fiscal year 2024 and \$92,299 in federal funds for fiscal year 2025 for the National Guard;
- Adding \$3,000,000 for the major disaster fund--post disasters at Hawaii Emergency Management Agency;
- Adding \$2,522,860 in general funds in fiscal year 2024 for grant matching of \$4,500,000 in federal funds in fiscal year 2024 for Hawaii Emergency Management Agency to address hazards;
- Adding \$500,000 for the resilient Hawaii revolving loan fund;
- Increasing the ceiling by \$500,000 for the Hawaii Emergency Management Agency's hazard mitigation special fund;
- Adding \$145,000 in fiscal year 2024 for the Hawaii Emergency Management Agency for a bucket truck to repair sirens on Oahu; and
- Adding \$12,000,000 in fiscal year 2024 for the Hawaii Emergency Management Agency's headquarters building.

#### Education

The Senate Draft of the executive budget for the Department of Education makes general fund appropriations of \$2,556,282,854 in fiscal year 2024 and \$2,359,031,553 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$407,307,143 in fiscal year 2024 and \$403,908,077 in fiscal year 2025.

Highlights are as follows:

- Adding \$7,000,000 for the Hawaii Keiki: Healthy and Ready to Learn initiative;
- Adding \$10,000,000 in fiscal year 2024 for workers' compensation;
- Adding 20.00 permanent positions and \$1,474,000 for distance learning;
- Adding 13.00 permanent positions and \$643,504 for bilingual school-home assistants;
- Adding \$3,600,000 in fiscal year 2024 and \$7,200,000 in fiscal year 2025 for workforce development for special education students;
- Adding \$12,010,000 in fiscal year 2024 for contracted skilled nursing services;
- Adding 76.00 permanent positions for applied behavior analysis (Act 205, SLH 2018);
- Adding \$898,560 for after-school care for students with disabilities;
- Adding 2.00 permanent positions and \$1,000,600 for youth suicide awareness (Act 270, SLH 2019);
- Adding \$350,000 for Title IX training (Act 242, SLH 2022);
- Adding 1.00 permanent position and \$110,136 for school gardens (Act 258, SLH 2022);
- Adding 1.00 permanent position and \$110,136 for summer learning (Act 259, SLH 2022);
- Adding \$1,700,000 for a health referral management system;
- Adding 4.00 permanent positions and \$300,768 for the Hawaii Teacher Standards Board;
- Adding \$13,000,000 in fiscal year 2024 for electricity;
- Adding \$207,000 in fiscal year 2024 and \$179,000 in fiscal year 2025 for kindergarten entry assessments (Act 46, SLH 2020);
- Adding \$300,000 in fiscal year 2024 for active threat response training;

- Transferring-in 75.00 permanent positions and \$5,755,493 from the Department of Accounting and General Services for neighbor island school repairs and maintenance;
- Adding \$50,000,000 in fiscal year 2024 for deferred maintenance;
- Adding \$1 for power purchase agreements;
- Adding \$46,000,000 for land acquisition and renovation;
- Adding \$11,500,000 in revolving funds for after-school programs;
- Adding \$30,000 in fiscal year 2024 to support traditional native speakers of Hawaiian;
- Adding \$10,945,798 in fiscal year 2024 and \$12,919,936 in fiscal year 2025 for charter school per-pupil adjustment;
- Adding 60.00 permanent positions and \$5,130,000 for charter school early learning (Act 257, SLH 2022);
- Adding \$660,000 for the Early Childhood Educator Stipend Program (Act 210, SLH 2021);
- Adding 36.00 permanent positions and \$3,949,425 in fiscal year 2024 and 126.00 permanent positions and \$7,641,383 in fiscal year 2025 for early learning classrooms (Act 257, SLH 2022);
- Adding \$2,000,000 in fiscal year 2024 and \$3,218,236 in fiscal year 2025 to restore salaries for unfunded library positions;
- Adding \$100,000 for digital literacy programs (Act 232, SLH 2022);
- Adding 3.00 permanent positions for the School Facilities Authority;
- Adding 5.00 permanent positions and \$396,192 for the School Facilities Authority; and
- Adding \$185,000,000 in fiscal year 2024 for teacher housing (S.B. No. 941).

#### Governor

The Senate Draft of the executive budget for the Office of the Governor makes general fund appropriations of \$5,807,504 in fiscal year 2024 and \$5,905,625 in fiscal year 2025.

Highlights are as follows:

- Adding 6.00 permanent positions and \$894,528 for the Office of Wellness and Resilience (Act 291, SLH 2022);
- Transferring-in 5.00 positions from the Department of Transportation for the Office of Wellness and Resilience;
- Adding 1.00 permanent position and \$130,000 for chief negotiator position; and
- Adding \$150,000 in general funds for fiscal year 2024 and fiscal year 2025 for other current expenses to fund special projects.

#### Hawaiian Home Lands

The Senate Draft of the executive budget for the Department of Hawaiian Home Lands makes general fund appropriations of \$26,428,191 in fiscal year 2024 and \$26,796,100 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$38,883,770 in fiscal year 2024 and \$38,883,770 in fiscal year 2025.

#### Health

The Senate Draft of the executive budget for the Department of Health makes general fund appropriations of \$748,671,144 in fiscal year 2024 and \$772,908,639 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$1,260,803,978 in fiscal year 2024 and \$1,345,890,794 in fiscal year 2025.

Highlights are as follows:

- Adding \$32,315,400 in general funds in both fiscal years for the Hawaii Health System Corporation Regions' operating subsidy;
- Adding \$1 in fiscal year 2024 for Maui Health System's operating subsidy;
- Adding \$16,320,700 in both fiscal years for Hawaii Health System Corporation's Oahu operating subsidy;
- Transferring-in 17.50 permanent positions, 23.50 temporary positions, \$3,697,802 in general funds, and \$137,363 in other federal funds for both fiscal years for the Performance, Information, Evaluation, and Research Branch under the Adult Mental Health Division;
- Transferring-in 21.00 permanent positions, 14.00 temporary positions, and \$2,169,028 in general funds for both fiscal years for the Performance, Information, Evaluation, and Research Branch under the Adult Mental Health Division;
- Adding 74.00 permanent positions and \$4,279,068 in general funds in fiscal year 2024, and 148.00 permanent positions and \$8,558,136 in general funds in fiscal year 2025 for 141.00 psychiatric technicians, 4.00 advanced practice registered nurses, and 3.00 security guards at the Hawaii State Hospital;
- Adding \$12,900,000 in general funds in fiscal year 2024 and \$14,100,000 in general funds in fiscal year 2025 for the Medicaid Home and Community Based Service waiver for individuals with intellectual and developmental disabilities;
- Adding \$26,000,000 in general funds in both fiscal years for service provider contract adjustments to account for inflation;

- Adding 4.00 permanent positions, \$230,508 in general funds in fiscal year 2024, and \$239,412 in general funds for fiscal year 2025 to fully fund salaries for 3.00 food safety specialists and 1.00 secretary in the Food and Drug Branch;
- Adding \$47,630,145 in general funds in fiscal year 2024 and \$43,629,646 in general funds in fiscal year 2025 for Emergency Medical Services across the State;
- Adding \$1,600,000 in general funds in both fiscal years for an ambulance on the island of Molokai;
- Adding \$400,000 in revolving funds in both fiscal years to raise the leaking underground storage tank revolving fund ceiling;
- Adding 2.00 permanent positions, \$73,644 in general funds in fiscal year 2024, and \$153,156 in general funds in fiscal year 2025 for 1.00 environmental management program manager and 1.00 secretary II for the Environmental Planning Office;
- Adding 4.00 permanent positions, \$263,604 in general funds in fiscal year 2024, and \$273,804 in general funds in fiscal year 2025 for 2.00 public health supervisors, 1.00 public health educator, and 1.00 secretary in the Hawaii District Health Office;
- Adding 4.00 permanent positions, \$249,564 in general funds in fiscal year 2024, and \$259,086 in general funds in fiscal year 2025 for 2.00 public health supervisors, 1.00 public health educator, and 1.00 office assistant in the Maui District Health Office;
- Adding 3.00 permanent positions, \$181,008 in general funds in fiscal year 2024, and \$188,052 in general funds in fiscal year 2025 for 1.00 public health supervisor, 1.00 public health educator, and 1.00 office assistant in the Kauai District Health Office;
- Adding 4.00 permanent positions, \$114,354 in general funds in fiscal year 2024, and \$237,456 in general funds in fiscal year 2025 for 3.00 epidemiological specialists and 1.00 statistics clerk in the Hawaii District Health Office;
- Adding 3.00 permanent positions, \$95,190 in general funds in fiscal year 2024, and \$197,208 in general funds in fiscal year 2025 for 3.00 epidemiological specialists in the Maui District Health Office;
- Adding 3.00 permanent positions, \$95,190 in general funds in fiscal year 2024, and \$197,208 in general funds in fiscal year 2025 for 3.00 epidemiological specialists in the Kauai District Health Office;
- Adding \$10,000,000 in general funds in fiscal year 2024 and \$20,000,000 in general funds in fiscal year 2025 for the Hawaii State Loan Repayment Program for Healthcare Professionals; and
- Adding \$1 for plan and design costs for Kinau Hale remodeling.

#### Human Resources Development

The Senate Draft of the executive budget for the Department of Human Resources Development makes general fund appropriations of \$28,009,270 in fiscal year 2024 and \$20,614,986 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$5,873,326 in fiscal year 2024 and \$5,877,980 in fiscal year 2025.

Highlights are as follows:

- Adding \$4,305,000 in fiscal year 2024 for worker's compensation claims;
- Adding 1.00 position and \$108,521 for workforce attraction, selection, classification, and effectiveness;
- Adding \$250,000 in fiscal year 2024 for information technology and computer equipment;
- Adding 2.00 positions and \$3,000,000 in fiscal year 2024 for technical support and infrastructure; and
- Adding 1.00 position and \$3,000,000 for a telework pilot project.

#### Human Services

The Senate Draft of the executive budget for the Department of Human Services makes general fund appropriations of \$1,632,182,964 in fiscal year 2024 and \$1,583,816,713 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$2,747,713,189 in fiscal year 2024 and \$2,747,516,341 in fiscal year 2025.

Highlights are as follows:

- Adding \$60,000,000 in general funds in both fiscal years for the State Rent Supplement Program;
- Adding \$1,550,000 in general funds in both fiscal years for Family Assessment Centers;
- Adding \$3,750,000 in general funds in both fiscal years for the Housing First Program;
- Adding \$3,750,000 in general funds in both fiscal years for the Rapid Re-Housing Program;
- Adding \$1,750,000 in general funds in both fiscal years for homeless outreach services;
- Adding \$345,000 in general funds in fiscal year 2024 and \$120,000 in general funds in fiscal year 2025 for the homeless services database;
- Adding \$22,000,000 in general funds in both fiscal years for service provider contract adjustments to account for inflation;
- Adding \$50,000,000 in general funds in fiscal year 2024 for deferred maintenance for the Hawaii Public Housing Authority;
- Increasing the special fund ceiling by \$5,000,000 for the spouse and child abuse special fund;
- Adding \$1,036,000 in general funds in fiscal year 2024 and \$536,000 in general funds in fiscal year 2025 for information technology modifications for an expanded Preschool Open Doors Program;

- Adding \$38,800,000 in general funds in both fiscal years for the expansion of Preschool Open Doors Program to include three-year-olds;
- Adding \$37,872,172 in general funds in fiscal year 2024 and \$36,854,272 in general funds in fiscal year 2025 for early learning expansion;
- Adding \$5,636,953 in general funds and \$7,191,798 in federal funds in both fiscal years for nursing facilities;
- Adding \$3,387,000 in general funds in fiscal year 2024 and \$4,516,000 in general funds in fiscal year 2025 for the Child Wellness Incentive Pilot Program (Act 127, SLH 2022);
- Adding \$30,000,000 in general funds in both fiscal years, \$42,833,212 in federal funds in fiscal year 2024, and \$43,393,822 in federal funds in fiscal year 2025 for reimbursements to professional service providers;
- Adding \$400,000 in general funds in both fiscal years for sex trafficking victims support;
- Adding 5.00 permanent positions and \$500,000 in general funds in fiscal year 2024 and \$460,000 in general funds in fiscal year 2025 for the Office on Homelessness and Housing Solutions (Act 252, SLH 2022);
- Adding \$15,000,000 in general funds in fiscal year 2024 for the Ohana Zones Pilot Program;
- Adding \$1,552,000 in general funds and \$9,532,000 in federal funds in both fiscal years for First-To-Work Program housing assistance;
- Adding \$605,000 in general funds in both fiscal years for the Family Resource Center Network; and
- Adding \$15,000,000 in fiscal year 2024 and \$33,000,000 in fiscal year 2025 for Kauhale projects across the State.

#### Labor and Industrial Relations

The Senate Draft of the executive budget for the Department of Labor and Industrial Relations makes general fund appropriations of \$117,173,713 in fiscal year 2024 and \$26,764,583 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$473,648,304 in fiscal year 2024 and \$423,583,194 in fiscal year 2025.

Highlights are as follows:

- Reducing \$1,125,000 in federal funds for occupational safety and health;
- Reducing \$5,138,180 in federal funds for the Workforce Development Program;
- Reducing \$6,710,272 in federal funds for the Unemployment Insurance Program;
- Adding \$364,226 in federal funds for the Office of Community Services;
- Adding 1.00 permanent position and \$1,000,000 for the Immigrant Resource Center;
- Adding 3.00 temporary positions and \$1,248,772 in fiscal year 2024 and \$259,064 in fiscal year 2025 for the new Retirement Savings Board; and
- Adding \$36,000,000 in fiscal year 2024 for the unemployment insurance modernization project.

#### Land and Natural Resources

The Senate Draft of the executive budget for the Department of Land and Natural Resources makes general fund appropriations of \$172,659,821 in fiscal year 2024 and \$129,925,064 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$176,643,180 in fiscal year 2024 and \$133,710,443 in fiscal year 2025.

Highlights are as follows:

- Adding \$1,500,000 in special funds for the land conservation fund for land acquisition;
- Adding \$500,000 in fiscal year 2024 for Banyan Drive planning;
- Adding \$750,000 in special funds for the conveyances and records digitization project;
- Adding \$1,500,000 for the Hawaii Invasive Species Council;
- Adding 4.00 permanent positions and \$117,210 in fiscal year 2024 and \$234,393 in fiscal year 2025 for the Navy's Red Hill contamination;
- Adding 2.00 permanent positions and \$58,596 in fiscal year 2024 and \$117,192 in fiscal year 2025 for water allocation permits;
- Adding 4.00 permanent positions and \$4,684,997 in fiscal year 2024 and 29.00 permanent positions and \$4,372,099 in fiscal year 2025 for the enforcement of environmental conservation and protection;
- Adding \$3,100,000 in fiscal year 2024 for watershed protection;
- Adding \$3,849,034 in special funds for repairs and maintenance for the Division of Boating and Ocean Recreation;
- Adding 1.00 permanent position and \$28,856 in fiscal year 2024 and \$57,712 in fiscal year 2025 for the Division of Boating and Ocean Recreation;
- Adding \$67,150,000 in fiscal year 2024 and \$20,650,000 in fiscal year 2025 for climate change initiatives in the Division of Boating and Ocean Recreation;

- Adding \$2,000,000 for trail maintenance and restoration;
- Adding \$10,000,000 in fiscal year 2024 and \$8,000,000 in fiscal year 2025 in special funds for state parks repairs and maintenance;
- Adding 1.00 permanent position and \$83,064 to coordinate merchandising strategies;
- Adding \$400,000 for the Kahoolawe Island Reserve Commission; and
- Adding 6.00 temporary positions and \$14,000,000 for the Mauna Kea Stewardship and Oversight Authority (Act 255, SLH 2022).

#### Law Enforcement

The Senate Draft of the executive budget for the Department of Law Enforcement makes general fund appropriations of \$79,747,725 in fiscal year 2024 and \$45,040,533 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$15,854,852 in fiscal year 2024 and \$25,823,828 in fiscal year 2025.

Highlights are as follows:

- Adding 1.00 program specialist and 10.00 deputy sheriff (including 4.00 for executive protection) positions and \$1,190,694 in fiscal year 2024 and \$1,136,610 in fiscal year 2025;
- Adding 4.00 deputy sheriff positions and \$176,748 in fiscal year 2024 and \$289,584 in fiscal year 2025;
- Adding \$152,420 for drug monitoring for narcotics enforcement;
- Adding \$312,120 in fiscal year 2024 and \$270,000 in fiscal year 2025 for body-worn cameras;
- Adding \$36,000 for the live scan system for identification;
- Adding \$37,500 for ballistic protective vests;
- Adding 8.00 training positions, \$435,001 in fiscal year 2024, and \$733,435 in fiscal year 2025;
- Adding \$45,000,000 in fiscal year 2024 for the information technology software project;
- Adding \$2,015,383 in fiscal year 2024 for full-year funding of 50.00 positions;
- Adding \$5,000,000 in fiscal year 2024 for plans and design of a building;
- Adding 5.00 investigators, \$304,722 in fiscal year 2024, and \$500,678 in fiscal year 2025 for the Office of Homeland Security; and
- Adding 1.00 cybersecurity, economic, education, and infrastructure security coordinator, \$78,993 in fiscal year 2024, and \$157,986 in fiscal year 2025 for the Office of Homeland Security.

#### Lieutenant Governor

The Senate Draft of the executive budget for the Office of the Lieutenant Governor makes general fund appropriations of \$2,679,472 in fiscal year 2024 and \$2,725,231 in fiscal year 2025.

Highlights are as follows:

- Adding 3.00 temporary positions and \$520,000 for policy areas;
- Adding 2.00 temporary positions and \$187,608 to support the office's statutory responsibilities;
- Adding 3.00 permanent positions and \$360,000 for broadband digital equity; and
- Adding \$528,505 in fiscal year 2024 and \$540,505 in fiscal year 2025 for other current expenses.

#### Public Safety

The Senate Draft of the executive budget for the Department of Public Safety makes general fund appropriations of \$327,414,334 in fiscal year 2024 and \$302,931,183 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$22,394,778 in fiscal year 2024 and \$15,428,310 in fiscal year 2025.

Highlights are as follows:

- Adding \$1,302,141 for full-year funding to support new housing at Hawaii Community Correctional Center;
- Adding \$1,103,018 in fiscal year 2025 for six-month funding to support new housing at Maui Community Correctional Center;
- Adding \$4,513,782 in fiscal year 2025 for full-year funding to support new housing at Women's Community Correctional Center;
- Trading-off \$450,432 to restore 8.00 substance abuse specialists;
- Adding \$450,000 in fiscal year 2024 and \$500,000 in fiscal year 2025 to purchase more local agricultural food products;
- Adding \$970,176 for twenty-four-hour health care at facilities on the neighbor islands and Oahu;
- Adding 4.00 permanent nurses, \$286,645 in fiscal year 2024, and \$525,969 in fiscal year 2025 for the new infection prevention and control unit;

- Adding 1.00 dentist manager, \$144,415 in fiscal year 2024, and \$276,999 in fiscal year 2025;
- Adding 8.00 permanent positions, \$381,826 in fiscal year 2024, and \$669,012 in fiscal year 2025 for internal affairs and training and staff development offices;
- Adding \$2,000,000 to expand the Community Work Furlough Program from Oahu to statewide;
- Adding \$521,899 in fiscal year 2024 for utility shortfalls at Halawa Correctional Facility, Waiawa Correctional Facility, and Oahu Community Correctional Center; and
- Adding \$25,000,000 in fiscal year 2024 for deferred maintenance.

#### County Subsidies

The Senate Draft of the executive budget for subsidies not associated with a department appropriates \$10,000,000 in general funds in fiscal year 2024.

Highlights are as follows:

- Adding \$10,000,000 in fiscal year 2024 for housing funding for the City and County of Honolulu.

#### Taxation

The Senate Draft of the executive budget for the Department of Taxation makes general fund appropriations of \$41,135,601 in fiscal year 2024 and \$38,177,897 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$3,603,402 in fiscal year 2024 and \$3,627,620 in fiscal year 2025.

Highlights are as follows:

- Adding 2.00 permanent positions and \$160,368 in fiscal year 2024 and \$166,128 in fiscal year 2025 to fund newly established positions in the Oahu Field Audit Branch;
- Adding \$8,017,617 in fiscal year 2024 and \$3,855,721 in fiscal year 2025 to fund the tax system modernization project; and
- Adding 5.00 permanent positions and \$533,859 in fiscal year 2024 and \$546,579 in fiscal year 2025 to fund newly established positions for the Taxation Board of Review.

#### Transportation

The Senate Draft of the executive budget for the Department of Transportation makes general fund appropriations of \$3,600,000 in fiscal year 2024 and \$3,600,000 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$1,356,831,196 in fiscal year 2024 and \$1,391,524,857 in fiscal year 2025.

Highlights are as follows:

- Adding \$56,726,547 in fiscal year 2024 and \$61,722,000 in fiscal year 2025 for airports special maintenance statewide;
- Adding \$30,625,000 in fiscal year 2024 and \$33,625,000 in fiscal year 2025 for harbors administration;
- Adding \$2,737,000 for highways traffic control on Oahu;
- Adding \$50,000,000 in fiscal year 2024 and \$40,000,000 in fiscal year 2025 for the Highways Special Maintenance Program; and
- Adding \$1,375,000 for the Highways Google Safety Analytics Program.

#### University of Hawaii

The Senate Draft of the executive budget for the University of Hawaii makes general fund appropriations of \$655,669,359 in fiscal year 2024 and \$616,285,992 in fiscal year 2025. The Senate Draft also makes non-general fund appropriations of \$708,069,056 in fiscal year 2024 and \$710,021,532 in fiscal year 2025.

Highlights are as follows:

- Adding \$17,526,848 in fiscal year 2024 to restore reductions from COVID-19;
- Adding \$3,200,000 in fiscal year 2024 for University of Hawaii at Manoa athletics;
- Adding \$85,500 for the Hawaii Institute of Marine Biology;
- Adding 7.00 permanent positions and \$228,500 in fiscal year 2024 and \$457,000 in fiscal year 2025 for the Thompson School of Social Work and Public Health;
- Adding \$3,000,000 in fiscal year 2024 for Waikiki Aquarium seawall repairs;
- Adding \$3,025,468 in fiscal year 2024 for a Wastewater System Demonstration Pilot Program (S.B. No. 285);
- Adding \$205,000 in special funds for the physician workforce assessment special fund (Act 151, SLH 2021);
- Adding 4.00 permanent positions and \$2,000,000 in fiscal year 2024 for neighbor island medical residencies and training (Act 262, SLH 2022);
- Adding \$400,000 in fiscal year 2024 for University of Hawaii at Hilo athletics;

- Adding 3.00 permanent positions and \$98,500 in fiscal year 2024 and \$200,250 in fiscal year 2025 for Maui College’s health center;
- Adding \$3,700,000 in fiscal year 2024 to continue the Promise Program for community colleges;
- Adding 31.00 permanent positions and \$693,780 in fiscal year 2024 and \$1,456,938 in fiscal year 2025 for community college security officers;
- Adding \$35,000,000 in fiscal year 2024 for community college deferred maintenance;
- Adding \$578,240 for non-credit workforce development; and
- Adding 14.00 permanent positions and \$577,500 in fiscal year 2024 and \$1,212,750 in fiscal year 2025 for the Early College Program.

**PART V. CAPITAL IMPROVEMENTS PROGRAM BUDGET**

The Governor submitted a transitional steady state capital improvement budget to the Legislature with the following totals:

<b>Governor’s Steady State Request</b>	<b>Fiscal Year 2024</b>	<b>Fiscal Year 2025</b>
<b>General Funds</b>	\$324,855,000	\$295,397,000
<b>G.O./G.O.R. Bond Funds</b>	\$462,249,000	\$358,640,000
<b>All Means of Financing</b>	\$2,106,776,000	\$1,459,911,000

The Governor submitted Governor’s Messages to the Legislature to request an amended capital improvement budget with the following totals:

<b>Governor’s Adjusted Request</b>	<b>Fiscal Year 2024</b>	<b>Fiscal Year 2025</b>
<b>General Funds</b>	\$447,669,000	\$308,122,000
<b>G.O./G.O.R. Bond Funds</b>	\$742,367,000	\$484,591,000
<b>All Means of Financing</b>	\$2,775,315,000	\$1,766,140,000

Your Committee has further amended this measure and proposes a capital improvement budget with the following totals:

<b>Senate Draft</b>	<b>Fiscal Year 2024</b>	<b>Fiscal Year 2025</b>
<b>General Funds</b>	\$549,063,000	\$379,453,000
<b>G.O./G.O.R. Bond Funds</b>	\$875,250,000	\$338,703,000
<b>All Means of Financing</b>	\$3,348,386,000	\$1,476,590,000

**PART VI. RECOMMENDATION**

As affirmed by the record of votes of the members 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. 300, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 300, 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, 13. Noes, none. Excused, none.

**SCRep. 1784 (Joint/Majority) Ways and Means and Judiciary on H.B. No. 1200**

The purpose and intent of this measure is to enable the use of unmanned aircraft in the enforcement of certain natural and cultural resource laws.

Specifically, this measure:

- (1) Requires and appropriates moneys for the Department of Land and Natural Resources to establish an unmanned aircraft systems program that is compliant with applicable federal and state laws;
- (2) Authorizes the use of unmanned aircraft systems to monitor, investigate, and obtain admissible evidence of natural and cultural resource violations; and
- (3) Requires the Department of Land and Natural Resources to submit to the Legislature annual reports on the unmanned aircraft systems program.

Your Committees received written comments in support of this measure from Kuaaina Ulu Auamo; Malama Pupukeya-Waimea; The Nature Conservancy, Hawaii and Palmyra; and five 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 Land and Natural Resources.

Your Committees find that enforcement of many natural and cultural resource laws by the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources is difficult due to remote or inaccessible locations where violations



may take place. Accordingly, your Committees also find that unmanned aircraft systems, otherwise known as “drones,” employ live monitoring and recording and may be effective and economical tools in facilitating the Division’s efforts.

Your Committees have amended this measure by clarifying the deadline for the notification of a waiver relating to the prohibition of unmanned aircraft systems manufactured or assembled by a covered foreign entity.

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. 1200, 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. 1200, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1785 Ways and Means on H.B. No. 74**

The purpose and intent of this measure is to establish a five-year temporary general excise tax exemption for amounts received from the servicing and maintenance of helicopters in an aircraft service and maintenance facility, or from the construction of a facility that services and maintains helicopters in which no less than seventy-five percent of the helicopters serviced and maintained annually in the facility are equipped with quiet technology.

Your Committee received written comments in support of this measure from one individual.

Your Committee received written comments in opposition to this measure from Jack Harter Helicopters.

Your Committee received written comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Blue Hawaiian Helicopters.

Your Committee recognizes that aviation is necessary for the State’s transportation needs and economy. Your Committee also recognizes that communities are affected by helicopter noise pollution on a regular basis. Accordingly, your Committee finds that incentivizing aircraft service and maintenance facilities to service and maintain helicopters that are equipped with quiet technology, as proposed by this measure, may facilitate the installation of those technologies without adversely impacting the State’s aviation industry.

Your Committee has amended this measure by clarifying that the general excise tax exemption shall apply to facilities that service and maintain helicopters outside any Hawaii airport.

As affirmed by the record of votes of the members 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. 74, 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. 74, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Aquino, Kanuha, Shimabukuro).

**SCRep. 1786 Ways and Means on H.B. No. 610**

The purpose and intent of this measure is to establish the farm workforce retention tax credit for farm employers or owners of farm employers that employ farm employees who are unable to work due to documented illnesses or disabilities.

Your Committee received written comments in support of this measure from the Department of Agriculture, Hawaii Farm Bureau, Hawaii Farmers Union United, Maui Chamber of Commerce, Ulupono Initiative, and three individuals.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that by supporting efforts of farm businesses to incentivize farm employees’ long-term workforce commitments, the farm workforce retention tax credit will help to address the labor retention issues faced by the agricultural industry in Hawaii.

Your Committee has amended this measure by:

- (1) Making the farm workforce retention tax credit nonrefundable;
- (2) Clarifying how the tax credit will be determined and distributed for partnerships, S corporations, estates, and trusts;
- (3) Clarifying the statutory deadline by which claims for the tax credit must be filed; 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. 610, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 610, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Aquino, Kanuha, Shimabukuro).

**SCRep. 1787 Ways and Means on H.B. No. 612**

The purpose and intent of this measure is to incentivize growth in the State’s agricultural sector.

Specifically, this measure establishes an income tax credit to alleviate the high costs of production for Hawaii’s farmers, ranchers, and fishers.

Your Committee received written comments in support of this measure from the Maui County Council; Ai Pohaku - The Stone Eaters; Good Food Movement; Green Islands Acres, LLC; Hawaii Alliance for Progressive Action; Hawaii Cattlemen's Council; Hawaii Farm Bureau; Hawaii Farmers Union United; Hawaii Farmers Union United, Haleakala Chapter; Kanalani Ohana Farm; Local Food Coalition; Maui Chamber of Commerce; Naike, LLC; Ulupono Initiative; Wakefield and Sons, Inc.; and twenty-five individuals.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that Hawaii farmers, ranchers, and fishers need support to alleviate the high costs associated with agricultural production in the State. Your Committee also finds that ensuring the viability of local food producers is critical to achieving the State's sustainability goals.

Your Committee has amended this measure by:

- (1) Clarifying that the tax credit is nonrefundable;
- (2) Deleting language inapplicable to nonrefundable income tax credits;
- (3) Replacing the terms "eligible farmer" and "farmer or farm business" with "qualified taxpayer;"
- (4) Clarifying the administration of the tax credit with regard to pass-through entities;
- (5) Clarifying that the amount of the tax credit is based on the taxpayer's net farm income; 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. 612, 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. 612, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1788 Ways and Means on H.B. No. 675**

The purpose and intent of this measure is to facilitate the development of affordable housing.

Specifically, this measure requires that, if sufficient funding is available, the Hawaii Housing Finance and Development Corporation shall open at minimum two application periods each year for the receipt of applications for financing for the development of affordable housing in the State from the Low-Income Housing Tax Credit Program, Hula Mae Multi-Family Program, Rental Housing Revolving Fund Program, and Dwelling Unit Revolving Fund Program.

Your Committee received written comments in support of this measure from Affordable Housing Connections LLC, EAH Housing, and one individual.

Your Committee received written comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that increasing opportunities for the Hawaii Housing Finance and Development Corporation to award funding to developers of affordable housing, during years where sufficient funding is available, will allow developers to utilize financing more effectively and efficiently.

Your Committee has amended this measure by 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. 675, 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. 675, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Aquino, Kanuha, Shimabukuro).

**SCRep. 1789 Ways and Means on H.B. No. 961**

The purpose and intent of this measure is to increase access to early learning.

Specifically, the measure:

- (1) Appropriates moneys into and out of the preschool open doors special fund for the preschool grant program, to fill new temporary positions to support the Preschool Open Doors Program and to address data governance issues as required by law;
- (2) Provides greater flexibility for accreditation of service providers;
- (3) Expands access to early learning public prekindergarten programs; and
- (4) Authorizes the preschool open doors special fund to receive federal funds.

Your Committee received written comments in support of this measure from the Office of the Lieutenant Governor, University of Hawaii, Executive Office on Early Learning, Early Learning Board, HE'E Coalition, Parents and Children Together, Stonewall Caucus of the Democratic Party of Hawaii, Kamehameha Schools, and four individuals.

Your Committee received written comments on this measure from the Department of Human Services, Department of Budget and Finance, Early Childhood Action Strategy, Commit to Keiki, Hawaii Association of Independent Schools, Hawaii Children's Action Network Speaks!, and one individual.

Your Committee finds that expanding access to childcare and preschool will help to prepare children to attend kindergarten and create opportunities for their parents and families to return to the workforce.

Your Committee has amended this measure by changing the effective date to July 1, 3000, 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. 961, 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. 961, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1790 Ways and Means on H.B. No. 933**

The purpose and intent of this measure is to appropriate moneys to the Public Utilities Commission to provide free telecommunications access to certain information for persons with print disabilities.

Your Committee received written comments in support of this measure from the Department of Human Services, Hawaii State Committee of Blind Vendors, National Federation of the Blind of Hawaii, National Organization of Parents of Blind Children Hawaii Representative, and numerous individuals.

Your Committee received written comments on this measure from the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Hawaiian Telcom.

Your Committee finds that providing free telecommunications access to certain information for persons with print disabilities will ensure that persons with print disabilities enjoy equal access to information and 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 H.B. No. 933, 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, 3 (Aquino, Kanuha, Shimabukuro).

**SCRep. 1791 Ways and Means on H.B. No. 870**

The purpose and intent of this measure is to facilitate services to blind and visually impaired individuals on the neighbor islands.

Specifically, the measure:

- (1) Requires the Department of Human Services to:
  - (A) 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;
  - (B) Establish a neighbor islands blind and visually impaired service pilot program working group;
  - (C) Collaborate with the working group to develop a pilot program implementation plan and submit the plan to the Legislature before the Regular Session of 2024; and
  - (D) Submit a report on the blind and visually impaired service pilot program to the Legislature before the Regular Session of 2027; and
- (2) Appropriates moneys to fund the establishment and operation of the neighbor islands blind and visually impaired service pilot program and working group.

Your Committee received written comments in support of this measure from the Department of Human Services, National Federation of the Blind of Hawaii, Hawaii State Committee of Blind Vendors, National Organization of Parents of Blind Children Hawaii, and seven individuals.

Your Committee recognizes that many blind and visually impaired neighbor island residents are not able to benefit from existing state and local support services, for various reasons. Accordingly, your Committee finds that efforts that supplement existing services, as proposed by this measure, will enable these individuals to improve their quality of life and achieve greater independence.

As affirmed by the record of votes of the members 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. 870, 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, 3 (Aquino, Kanuha, Shimabukuro).

**SCRep. 1792 Ways and Means on H.B. No. 503**

The purpose and intent of this measure is to support computer science education in the State's public schools.

More specifically, the measure:

- (1) Requires the Board of Education to work with the Department of Education to conduct an analysis on the need, impact, and feasibility of making computer science a graduation requirement;
- (2) Requires the Board of Education to determine whether making computer science a graduation requirement would be in the best interests of public school students and the public;

- (3) Requires the Board of Education to report any findings to the Legislature; and
- (4) Appropriates moneys for teachers' professional development in computer science.

Your Committee received written comments in support of this measure from HawaiiKidsCAN, Code.org, Chamber of Commerce Hawaii, 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 Department of Education and Board of Education.

Your Committee finds that expanding the availability of computer science education and supporting teachers' professional development in this field will help prepare the State's public school students for success in the classroom and their careers.

As affirmed by the record of votes of the members 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. 503, 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, 3 (Aquino, Kanuha, Shimabukuro).

**SCRep. 1793 Ways and Means on H.B. No. 963**

The purpose and intent of this measure is to appropriate moneys for various programs related to broadband internet access.

Your Committee received written comments in support of this measure from the Office of the Lieutenant Governor; Department of Budget and Finance; Department of Business, Economic Development, and Tourism; State Council on Developmental Disabilities; University of Hawaii; Office of the Mayor of the County of Maui; AARP Hawaii; AlohaCare; Chamber of Commerce Hawaii; Hawaii Primary Care Association; Maui Chamber of Commerce; Vibrant Hawaii; and three individuals.

Your Committee received written comments on this measure from Hawaiian Telcom.

Your Committee finds that supporting programs related to broadband internet access will ensure that all residents of the State are able to fully participate in society, democracy, and the economy.

Your Committee has amended this measure by:

- (1) Changing the appropriations from \$33,000,000 and \$95,000,000, respectively, to unspecified amounts; and
- (2) 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. 963, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 963, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1794 Ways and Means on H.B. No. 992**

The purpose and intent of this measure is to clarify that certain moneys appropriated pursuant to Act 88, Session Laws of Hawaii 2021, as amended by Act 248, Session Laws of Hawaii 2022, shall be deposited into the affordable homeownership revolving fund for the purposes for which the revolving fund was established.

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; and Hawaii Habitat for Humanity Association.

Your Committee finds that clarifying the appropriation made in section 6.4 of Act 88, Session Laws of Hawaii 2021, as amended by Act 248, Session Laws of Hawaii 2022, will ensure that certain loan repayments are deposited into the affordable homeownership revolving fund rather than the general 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 H.B. No. 992, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1795 Ways and Means on H.B. No. 995**

The purpose and intent of this measure is to clarify the process and provide incentives for designating lands as important agricultural lands.

More specifically, the measure:

- (1) Amends section 205-49, Hawaii Revised Statutes, to conform with existing Land Use Commission rules by clarifying that the adoption of county maps of important agricultural lands occurs through rulemaking, rather than through a contested case hearing; and
- (2) Provides a means to develop cluster housing for farmers and farm employees on important agricultural lands.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Agriculture; City and County of Honolulu, Department of Planning and Permitting; Office of Planning and Sustainable Development; and Hawaii Farm Bureau.

Your Committee received written comments on this measure from the Land Use Commission.

Your Committee finds that the clarifications made and incentives provided by this measure will help the State conserve and protect agricultural lands and promote agricultural self-sufficiency by removing obstacles to the designation of lands as important agricultural lands.

Your Committee has amended this measure by:

- (1) Clarifying that an agricultural plan or agricultural business plan shall be submitted to the county by the landowner or lessee and that the county may submit the plan to the Department of Agriculture for review and comment;
- (2) Combining two paragraphs of new statutory text to avoid redundancy;
- (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. 995, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 995, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1796 Ways and Means on H.B. No. 1037**

The purpose and intent of this measure is to update the Hawaii Revised Statutes (HRS) regarding the Statewide Interoperable Communications Executive Committee to reflect the migration of the Office of Homeland Security from the Department of Defense to the Department of Law Enforcement.

More specifically, the measure replaces references to the Department of Defense and its Adjutant General with the Department of Law Enforcement and its Director in sections 76-16 and 128A-12, HRS, which relate to civil service exempt positions and membership on the Statewide Interoperable Communications Executive Committee, respectively.

Your Committee received written comments in support of this measure from the Department of Law Enforcement, Office of Homeland Security, and Department of Defense.

Your Committee finds that the amendments made by this measure are in the nature of housekeeping and are needed to align the statutory sections identified above with amendments made by section 24 of Act 278, Session Laws of Hawaii 2022, which among other things, established the Department of Law Enforcement and transferred certain functions of other state agencies to the Department.

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. 1037, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1037, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1797 Ways and Means on H.B. No. 1184**

The purpose and intent of this measure is to authorize a process through which state and county agencies may procure professional services when fewer than three qualified persons respond to an additional solicitation.

Your Committee received written comments in support of this measure from the Mayor of the County of Maui.

Your Committee received written comments on this measure from the Department of Accounting and General Services; State Procurement Office; Division of Purchasing, Department of Finance, County of Kauai; American Institute of Architects, Hawaii State Council; and American Council of Engineering Professionals of Hawaii.

Your Committee finds that state and county agencies attempting to procure certain services may face a shortage of qualified potential contractors. Accordingly, your Committee believes that alternative means of procurement, as authorized by this measure, will ensure the continuation of projects that are essential for state and county functions.

As affirmed by the record of votes of the members 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. 1184, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1798 Ways and Means on H.B. No. 1193**

The purpose and intent of this measure is to facilitate the administration of the tax credit for research activities.

Specifically, the measure:

- (1) Limits to an unspecified amount the amount of tax credits for research activities that an eligible taxpayer and the taxpayer's related entities may receive per taxable year;

- (2) Consolidates the survey and certification requirements for tax credits for research activities;
- (3) Changes from \$5,000,000 to an unspecified amount the annual aggregate cap on tax credits for research activities that the Department of Business, Economic Development, and Tourism may certify;
- (4) Requires certification of the tax credits for research activities on a first-come, first-served basis to be based on the date that a complete application is received, subject to certain conditions; and
- (5) Extends from December 31, 2024, to December 31, 2029, the sunset date for the tax credit.

Your Committee received written comments in support of this measure from the Maui Chamber of Commerce.

Your Committee received written comments in opposition to this measure from two individuals.

Your Committee received written comments on this measure from the Department of Taxation, Hawaii Technology Development Corporation, Oceanit, and Tax Foundation of Hawaii.

Your Committee finds that the tax credit for research activities encourages job growth in research and development. Your Committee also finds that the tax credit fosters diversification of the State's economy by creating and maintaining science, technology, engineering, and mathematics jobs in the State.

Your Committee notes that Senate Bill No. 951, S.D. 2, which was previously passed by the Senate, is a substantially similar measure that:

- (1) Limits to \$1,500,000 the amount of tax credits for research activities that an eligible taxpayer and the taxpayer's related entities may receive per taxable year;
- (2) Consolidates the survey and certification requirements for tax credits for research activities;
- (3) Increases from \$5,000,000 to \$15,000,000 the annual aggregate cap on tax credits for research activities that the Department of Business, Economic Development, and Tourism may certify;
- (4) Requires certification of the tax credits for research activities on a first-come, first-served basis to be based on the date that a complete application is received, subject to certain conditions; and
- (5) Extends from December 31, 2024, to December 31, 2029, the sunset date for the tax credit.

Your Committee has amended this measure by deleting its contents and inserting the contents of Senate Bill No. 951, S.D. 2.

As affirmed by the record of votes of the members 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. 1193, 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. 1193, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

#### **SCRep. 1799 Ways and Means on H.B. No. 1300**

The purpose and intent of this measure is to establish a framework for granting provisional, associate-level marriage and family therapist, mental health counselor, and psychologist licensure.

More specifically, this measure:

- (1) Requires the Department of Commerce and Consumer Affairs to grant provisional associate marriage and family therapist, associate mental health counselor, and associate psychologist licensure to eligible individuals;
- (2) Establishes requirements for, and restrictions on, provisional associate marriage and family therapist, associate mental health counselor, and associate psychologist licenses;
- (3) Authorizes insurance reimbursements for certain services provided by supervised licensed associate marriage and family therapists, supervised licensed associate mental health counselors, supervised associate psychologists, and supervised social work interns;
- (4) Requires each applicant for a psychologist license to possess a doctoral degree and complete one year of post-doctoral supervised experience in health service in psychology before sitting for the psychologist licensing examination;
- (5) Authorizes the Board of Psychology to grant waivers of state-employed clinical psychologist licensure requirements in certain circumstances; and
- (6) Appropriates moneys to the Department of Commerce and Consumer Affairs to establish, recruit, and hire one full-time equivalent (1.0 FTE) office assistance V position and update the Department's Professional and Vocational Licensing Division's internal databases.

Your Committee received written comments in support of this measure from the Hawaii State Council on Mental Health; AlohaCare; Catholic Charities Hawaii; Elemental Guidance, LLC; Erik E. Acuna, LCSW, LLC; Hawaii Psychological Association; National Association of Social Workers; Spill The Tea Cafe; The Hawaiian Islands Association for Marriage and Family Therapy; Xplor Counseling; and numerous individuals.

Your Committee received written comments on this measure from the Board of Psychology, Department of Commerce and Consumer Affairs, Hawaii Chapter of The National Association of Social Workers, Hawaii Psychological Association, and The Hawaiian Islands Association for Marriage and Family Therapy.

Your Committee finds that granting provisional, associate-level marriage and family therapist, mental health counselor, and psychologist licenses will help to satisfy the critical need for high-quality mental health practitioners 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. 1300, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1800 Ways and Means on H.B. No. 1396**

The purpose and intent of this measure is to support the upgrade, conversion, or connection of every cesspool in the State, excluding cesspools granted exemptions by the Director of Health, as required by Act 125, Session Laws of Hawaii, 2017.

More specifically, the measure:

- (1) Establishes and appropriates moneys for a county cesspool pilot program in the Department of Health to work with each county to identify a priority area to expand the county sewage system or other centralized treatment system to connect with individual properties and reduce or eliminate cesspools in the priority area;
- (2) Creates and appropriates moneys to establish positions for a cesspool conversion section in the Department of Health to facilitate the conversion of cesspools within the State;
- (3) Requires the Department of Health to retain experts to identify necessary public outreach and education resources and tools, develop a comprehensive public outreach strategy, and educate homeowners regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines;
- (4) Establishes an income tax credit for the cost of upgrading or converting a qualified cesspool to a Director of Health-approved wastewater system or connecting to a sewerage system; and
- (5) Requires certain information regarding cesspools on real property to be included in seller mandatory disclosures for real property transactions.

Your Committee received written comments in support of this measure from the University of Hawaii, Environmental Caucus of the Democratic Party of Hawaii, Ulupono Initiative, The Nature Conservancy of Hawaii and Palmyra, Wastewater Alternatives & Innovations, Coral Reef Alliance, and seven individuals.

Your Committee received written comments on this measure from the Department of Taxation, Department of Health, Office of the Mayor for the County of Maui, Department of Environmental Management for the County of Maui, Hawaii REALTORS, and one individual.

Your Committee finds that this measure provides helpful mechanisms, including dedicated state resources, community incentives, and fair and transparent disclosures to new property owners, to help support the State's cesspool conversion goals.

Your Committee has amended this measure by:

- (1) Amending section 12 of the measure to clarify that the cesspool upgrade, conversion, or connection income tax credit shall apply to taxable years beginning after December 31, 2023, as recommended in written comments from the Department of Taxation;
- (2) Requiring the Department of Health to retain "qualified consultants" rather than "experts," as recommended in written comments from the Department of Health;
- (3) Making the seller disclosure requirements in section 15 of the measure effective on November 1, 2023, as recommended in written comments from Hawaii REALTORS;
- (4) Clarifying that the county reports to the Legislature are required to address only the properties identified for a connection to a sewage system;
- (5) Clarifying that the appropriations made in sections 3, 6, 7, and 10 of the measure shall be expended for the purposes of their respective sections;
- (6) Correcting Ramseyered material to comport with recommended drafting conventions;
- (7) Correcting the text of quoted material; 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 H.B. No. 1396, 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. 1396, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13; Ayes with Reservations (Fevella). Noes, none. Excused, none.

**SCRep. 1801 Ways and Means on H.B. No. 1408**

The purpose and intent of this measure is to establish, and appropriate moneys for, a digital equity grant program in which grants are awarded to eligible applicants for digital equity projects.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Climate Change Mitigation and Adaptation Commission; State Council on Developmental Disabilities; AARP Hawaii; AlohaCare; Hawaii Broadband Hui; Kapolei Chamber of Commerce; Vibrant Hawaii; and two individuals.

Your Committee received written comments on this measure from the University of Hawaii.

Your Committee finds that awarding grants to qualified digital equity projects will make internet access and new technology available to more people and help to ensure digital equity throughout 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. 1408, H.D. 3, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1408, H.D. 3, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1802 Ways and Means on H.B. No. 1486**

The purpose and intent of this measure is to increase the resources available to support the care of kupuna in the State.

More specifically, the measure appropriates funds to the Department of Health for the Kupuna Care Program within the Executive Office on Aging.

Your Committee received written comments in support of this measure from the Department of Health's Executive Office on Aging, Alzheimer's Association, AARP Hawaii, Rainbow Family 808, The Kupuna Caucus of the Democratic Party of Hawaii, and numerous individuals.

Your Committee received written comments on this measure from Catholic Charities Hawaii.

Your Committee finds that funding for the Kupuna Care Program is critical as the State's population of persons aged sixty and older rapidly increases. The additional funding provided by this measure will allow the Executive Office on Aging to identify and prioritize additional kupuna clients for supportive services according to each client's needs by utilizing the comprehensive person-centered intake and assessment tools developed statewide.

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. 1486, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1486, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, none.

**SCRep. 1803 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 193**

The purpose and intent of this measure is to:

- (1) Extend the State's energy-efficiency portfolio standards from 2030 to 2045; and
- (2) Authorizes the Public Utilities Commission to establish interim goals.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Public Utilities Commission, Hawaiian Electric, Hawaii Solar Energy Association, Ulupono Initiative, Hawaii Environmental Change Agents, Hawai'i Energy, Blue Planet Foundation, Kauai Climate Action Coalition, and eight individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy.

Your Committees find that energy efficiency remains the most cost-effective way to reduce emissions associated with electricity generation and consumption, while providing financial benefits for customers. Under existing law, the State must meet its energy efficiency goals by the year 2030. This codified goal was established in 2009; however, your Committees find that it is appropriate to modify these goals and the date by which they must be achieved. This measure extends and further develops the energy-efficiency portfolio standards, thus progressing the State towards its decarbonization goals.

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 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. 193, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 193, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1804 Ways and Means on H.B. No. 133**

The purpose and intent of this measure is to appropriate funds for the operating costs of the Office of Hawaiian Affairs for the fiscal biennium beginning July 1, 2023, and ending June 30, 2025.



Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs.

Your Committee finds that the Office of Hawaiian Affairs is a semi-autonomous state agency, established by Article XII, sections 4 and 5, of the Hawaii State Constitution and Chapter 10, Hawaii Revised Statutes, that is responsible for improving the well-being of native Hawaiians and Hawaiians. This measure appropriates funds for the Office of Hawaiian Affairs' operating budget in support of plans for the upcoming biennium and is vital to fulfilling its mandates. Your Committee further finds that for every dollar of state funds provided, the Office of Hawaiian Affairs matches these general funds with trust funds, community funds, and additional Office of Hawaiian Affairs funds.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated for beneficiary advocacy from an unspecified amount of general revenues to \$87,000,000 for fiscal year 2023-2024 and \$3,000,000 for fiscal year 2024-2025;
- (2) Changing the amount appropriated for beneficiary advocacy from an unspecified amount of public land trust funds to \$3,000,000 per fiscal year;
- (3) Deleting program provisions specifying unspecified sums for occupancy-ready housing needs, social services, and educational improvement programs for Native Hawaiian students;
- (4) Adding a program provision specifying \$65,000,000 in general funds for bulkhead repairs;
- (5) Adding a program provision specifying \$6,000,000 to prepare an environmental impact statement for Hakuone;
- (6) Adding a program provision specifying \$13,000,000 for Kukaniloko;
- (7) Changing the program provision for legal services and legal representation to Office of Hawaiian Affairs beneficiaries from an unspecified amount of general funds to \$75,600 in general funds and \$75,600 in trust funds;
- (8) Changing the program provision for protections of aina (land and water) from an unspecified amount of general funds and trust funds to \$500,000 in general funds and \$500,000 in trust funds; and
- (9) Changing the program provision for ohana (families and communities) economic stability from an unspecified amount of general funds and trust funds to \$370,000 in general funds and \$370,000 in trust funds.

As affirmed by the record of votes of the members 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. 133, 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. 133, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 1 (Shimabukuro).

**SCRep. 1805 (Majority) Judiciary on H.B. No. 650**

The purpose and intent of this measure is to:

- (1) Authorize licensed advanced practice registered nurses to practice medical-aid-in-dying;
- (2) Authorize licensed advanced practice registered nurses and clinical nurse specialists with psychiatric or mental health training and licensed marriage and family therapists to provide counseling to a qualified patient;
- (3) Reduce from twenty to five days, the mandatory waiting period between the two oral requests required for a qualified patient to obtain a prescription for medication that may be self-administered to end the patient's life in accordance with applicable state law; and
- (4) Waive the mandatory waiting period for terminally ill qualified patients who are not expected to survive the mandatory waiting period.

Your Committee received testimony in support of this measure from the Department of Health, Compassion & Choices, Stonewall Caucus of the Democratic Party of Hawai'i, Board of Nursing, Hawai'i – American Nurses Association, Hawai'i Association of Professional Nurses, Hawaii Society of Clinical Oncology, Hawai'i Pacific Health, Hawai'i Psychological Association, Hawaiian Islands Association for Marriage and Family Therapy, and thirty-five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Family Forum, Americans United for Life, and nine individuals. Your Committee received comments on this measure from the Hawaii Medical Association, Hawai'i State Center for Nursing, and two individuals.

Your Committee finds that the State's Our Care, Our Choice Act, enacted by the Legislature in 2018, allows certain terminally ill individuals to voluntarily request and receive prescription medication that allows them to die in a peaceful, humane, and dignified manner. Your Committee finds however, that the State's shortage of physicians has unintentionally created barriers and burdens for patients in accessing this compassionate care, particularly in rural areas and neighbor islands. Your Committee also finds that the State's mandatory waiting period is the longest in the nation among states that have enacted medical-aid-in-dying laws, and according to testimony received by your Committee, twenty-seven percent of terminally ill patients who requested the medication did not survive the twenty-day mandatory waiting period. This measure reduces these barriers by allowing additional medical practitioners to facilitate medical-aid-in-dying, reducing the mandatory waiting period, and waiving the mandatory waiting period for certain qualified patients.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 650, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 2 (Gabbard, Awa). Excused, none.

**SCRep. 1806      Judiciary on H.B. No. 1109**

The purpose and intent of this measure is to meet federal requirements on fraudulent activity relating to commercial learner's permits and commercial driver's licenses.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the Department of Transportation is required by the Federal Motor Carrier Safety Administration, pursuant to title 49 of the Code of Federal Regulations section 383.73(k)(2), to have policies in effect that result, at minimum, in the disqualification of the commercial learner's permits and commercial driver's licenses for applicants who are suspected of fraud related to the testing and issuance of that commercial learner's permits and commercial driver's licenses. This measure provides accountability for drivers who obtain a commercial learner's permit or commercial driver's license while also conforming to federal requirements.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1109, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1807      (Majority) Judiciary on H.B. No. 1205**

The purpose and intent of this measure is to specify that exclusive representatives of public employees are not required to provide grievance representation to collective bargaining unit members who do not pay dues or dues equivalents and who decline to pay reasonable costs of the representation.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers and University of Hawaii Professional Assembly. Your Committee received testimony in opposition to this measure from six individuals.

Your Committee finds that under existing law, public employees fall within one of fifteen bargaining units, which are represented by the employee organization certified by the Hawaii Labor Relations Board. A certified union is the exclusive organization responsible for representing the interests of all employees in matters such as labor disputes, wages, hours, and other terms and conditions of employment, and does so without discrimination and without regard to an employee's organization membership. However, to pay for the various services that the union provides to the employees in its bargaining unit, unions deduct dues from the employee's payroll through the employee's public employer. Prior to 2018, regardless of whether an employee within a bargaining unit elected to become a member of the exclusive employee organization, the non-member employee still had to pay their fair share because they enjoyed the same services and benefits provided to all employees by the exclusive employee organization. In 2018, the Supreme Court of the United States issued its opinion in *Janus v. AFSCME*, 138 S.Ct. 1338, (2018), which held that a public sector union is prohibited from charging non-union members certain union dues. Currently, non-union members can reap the benefits of the union but not pay for the services that they benefit from and utilize, which is fundamentally unfair and could bankrupt unions. This measure would prevent a nonunion member from receiving grievance representation for which they did not pay, thus ensuring fairness and providing financial stability to unions in the State.

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. 1205, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1205, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1808      Judiciary on H.B. No. 692**

The purpose and intent of this measure is to increase administrative and criminal penalties for violators of Hawaii pesticides laws.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i SEED, Hānai Hives, Hawai'i Food+ Policy Internship 2023, Imua Alliance, Education Caucus of the Democratic Party of Hawai'i, Hawai'i Farmers Union United, Hawai'i Alliance for Progressive Action, Wild Kids, and twenty-three individuals. Your Committee received comments on this measure from the Hawaii Crop Improvement Association.

Your Committee finds that fines for violations of Hawai'i pesticide laws have not increased for twenty-two years for commercial pesticide applicators and nearly fifty years for private pesticide applicators. In the last five years, the Pesticides Branch of the Plant Industry Division of the Department of Agriculture has issued and closed almost one hundred notices of violation for companies or individuals who had repeat use violations. This measure will increase the fines for violations of Hawaii pesticide laws, which will deter applicators from violating the laws and better protect the people and environment of Hawai'i.

Your Committee has amended this measure by:

- (1) Specifying that the minimum administrative penalty for any registrant, commercial applicator, wholesaler, dealer, retailer, or other distributor who violates the Hawai'i pesticides laws is \$1,000; and
- (2) Specifying that the minimum administrative penalty for any private applicator who violates the Hawai'i pesticides laws is \$250.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 692, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 692, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1809 Ways and Means on H.B. No. 415**

The purpose and intent of this measure is to appropriate moneys to the Department of Transportation to implement the recommendations of the task force on mobility management.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board, State Council on Developmental Disabilities, AARP Hawaii, National Federation of the Blind of Hawaii, OahuMPO, and one individual.

Your Committee finds that implementing the recommendations of the task force on mobility management will help to improve the provision of reliable, essential transportation for people with disabilities in the State.

Your Committee has amended this measure by:

- (1) Clarifying the total number of full-time equivalent mobility manager positions to be established and funded; 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. 415, 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. 415, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1810 Ways and Means on H.B. No. 1263**

The purpose and intent of this measure is to expand the sources of funding for, and amend the authorized uses of moneys in, the Hawaii ABLE savings program trust fund.

More specifically, this measure:

- (1) Expands the sources of funding for the Hawaii ABLE savings program trust fund;
- (2) Amends the authorized uses of moneys in the Hawaii ABLE savings program trust fund;
- (3) Appropriates moneys to the Department of Budget and Finance to provide incentive payments to Hawaii public school ABLE account owners; and
- (4) Appropriates moneys to the Department of Health for one full-time equivalent (1.0 FTE) permanent position within the State Council on Developmental Disabilities to provide statewide outreach, advocacy, and relationship management for the Hawaii ABLE savings program.

Your Committee received written comments in support of this measure from the State Council on Developmental Disabilities.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that expanding the sources of funding for, and amending the authorized uses of moneys in, the Hawaii ABLE savings program trust fund will enable individuals having disabilities to accrue moneys to pay for various expenses, including medical and dental care, education, community-based supports, employment training, assistive technology, housing, and transportation.

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. 1263, 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. 1263, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1811 Ways and Means on H.B. No. 1511**

The purpose and intent of this measure is to support the work of the Honolulu Board of Water Supply in monitoring the safety and quality of Oahu's drinking water.

More specifically, the measure appropriates funds as a grant-in-aid to the Honolulu Board of Water Supply to:

- (1) Plan, design, and construct seven monitoring wells on Oahu after consultation with the Department of Health and Commission on Water Resource Management; and
- (2) Design and construct an exploratory well to meet future potable water requirements for the Oahu metropolitan area.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Honolulu Board of Water Supply, Environmental Caucus of the Democratic Party of Hawaii, Ulupono Initiative, Sierra Club of Hawaii, and one individual.

Your Committee finds that multiple recent releases of fuel and other chemicals from the United States Department of the Navy's Red Hill Bulk Fuel Storage Facility have negatively impacted the environment and the safety of drinking water flowing to military residences. A Department of Health analysis showed that the fuel contamination could travel away from the Red Hill Bulk Fuel Storage Facility toward different geological locations and existing Honolulu Board of Water Supply wells. Further, the lack of data collected by the Navy's sparse monitoring well network hinders an adequate evaluation of the possibility that fuel releases from the Red Hill Bulk Fuel Storage Facility could migrate to and thus impact critical drinking water receptors, such as the Halawa shaft and Aiea and Halawa wells of the Honolulu Board of Water Supply. Accordingly, the financial support provided by this measure will aid the Board in evaluating and addressing these significant threats to Oahu's precious drinking water supply.

Your Committee has amended this measure by:

- (1) Inserting language providing that no moneys appropriated by the measure shall be expended unless matched on a dollar-for-dollar basis by the City and County of Honolulu; 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. 1511, 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. 1511, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1812 (Joint) Judiciary and Ways and Means on H.B. No. 579**

The purpose and intent of this measure is to:

- (1) Establish the statewide Human Trafficking Prevention Program within the Department of the Attorney General to provide services and assistance to commercially sexually exploited children and victims of human trafficking; and
- (2) Require reports to the Legislature.

Your Committees received testimony in support of this measure from the Department of the Attorney General, Department of Human Services, Department of Health, State Council on Mental Health, Office of Hawaiian Affairs, Catholic Charities Hawai'i, Zonta Club of Hilo, Imua Alliance, and nine individuals.

Your Committees find that human trafficking and the commercial sexual exploitation of children have been a growing issue both in the State and throughout the nation. Your Committees further find that while the State has implemented multiple programs to prevent and fight these crimes, there is a need for a more coordinated and comprehensive effort. This measure furthers the State's efforts in countering human trafficking and commercial sexual exploitation of children by establishing a statewide human trafficking prevention program.

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. 579, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
Judiciary: Ayes, 5. Noes, none. Excused, none.  
Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1813 (Joint) Judiciary and Ways and Means on H.B. No. 1079**

The purpose and intent of this measure is to:

- (1) Revise chapter 342D, Hawaii Revised Statutes, to add definitions that are consistent with federal Clean Water Act regulations;
- (2) Clarify the Director of Health's role as a certifying agency, including enforcement of water quality certifications; and
- (3) Increase certain statutory civil penalties.

Your Committees received testimony in support of this measure from the Department of Health.

Your Committees find that the Department of Health protects state waters from surface water pollution through the issuance of permits, variances, and water quality certifications. This measure will provide a framework for the State's certification program to uphold Hawaii's water quality standards and further maintain a sufficient economic deterrence against violations of water pollution control laws.

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. 1079, 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. 1079, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
Judiciary: Ayes, 5. Noes, none. Excused, none.  
Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1814 Commerce and Consumer Protection on H.B. No. 378**

The purpose and intent of this measure is to:

- (1) Include as a factor for determining whether the issuance of a controlled substances registration is in the public interest, the prevention of activities within an applicant's areas that are potentially injurious to the health, safety, and welfare of the public and neighborhood; and
- (2) Establish a Substance Use Disorder Services Clinic Working Group to develop recommendations to balance the needs of persons receiving treatment for substance use disorders with the needs of public safety and report to the Legislature.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, Department of Health, Department of Education, Department of Public Safety, and one individual. Your Committee received testimony in opposition to this measure from CHAMP Clinic, and nine individuals. Your Committee received comments on this measure from the Hawaii Substance Abuse Coalition, Hawai'i Health & Harm Reduction Center, and one individual.

Your Committee finds that any person who manufactures, dispenses, prescribes, distributes, or conducts reverse distribution of certain controlled substances in the State must apply and obtain a registration from the Department of Public Safety. The Department of Public Safety is required to determine whether issuing a registration would be inconsistent with public policy by examining specific factors listed in existing law. This measure adds additional factors the Department of Safety must consider in determining whether issuing a registration would be inconsistent with public policy and establishes a working group to recommend solutions to properly balance certain substance abuse treatment locations with public health and safety needs.

Your Committee has amended this measure by:

- (1) Deleting language that would have included the prevention of activities within an applicant's areas that are potentially injurious to the health, safety, and welfare of the public and neighborhood as a factor for determining whether the issuance of a controlled substances registration is in the public interest; 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. 378, 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. 378, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

**SCRep. 1815 (Joint) Commerce and Consumer Protection and Judiciary on H.B. No. 712**

The purpose and intent of this measure is to:

- (1) Encourage state boards to maintain recordings of board meetings on the board's website regardless of whether the written minutes of the meeting have been posted;
- (2) Require state boards to provide the State Archives with a copy of any recording of a board meeting before removing the recording from the board's website; and
- (3) Require the written minutes of board meetings to include a link to the electronic audio or video recording, if available online.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Public Safety, Department of Commerce and Consumer Affairs, Civil Beat Law Center for the Public Interest, and three individuals. Your Committees received comments on this measure from the Office of Information Practices and Department of Human Services.

Your Committees find that the Commission to Improve Standards of Conduct (Commission) was established to provide recommendations that would increase the level of transparency in government operations and accountability of individuals by recommending clear standards of conduct. Among the Commission's recommendations were that an electronic audio or video recording of a public board meeting be maintained as a public record and posted, regardless of whether the written minutes of the board meeting have been posted. This measure takes steps towards strengthening the public's trust in government institutions by opening the governmental process to public scrutiny and participation.

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. 712, 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, 3. Noes, none. Excused, 2 (McKelvey, Richards).  
Judiciary: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1816 Commerce and Consumer Protection on H.B. No. 192**

The purpose and intent of this measure is to prohibit the sale of certain fluorescent lamps as a new manufactured product, with certain exemptions.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii State Energy Office, Hawai'i Climate Change Mitigation and Adaptation Commission, County of Hawai'i Department of Environmental Management, Blue Planet Foundation, Hawai'i Energy, Appliance Standards Awareness Project, Ulupono Initiative, 350Hawaii.org, and twelve individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii. Your Committee received comments on this measure from the Alliance of Automotive Innovation.

Your Committee finds that fluorescent bulbs contain mercury, a potent neurotoxin that can harm human health and the environment. When fluorescent bulbs are broken, they present a health hazard to those nearby and to the environment. Light-emitting diodes, or LEDs, last about twice as long as fluorescent bulbs and use approximately half the electricity to produce the same amount of light. LEDs also do not contain mercury, meaning they can be disposed of conveniently and more cheaply than fluorescents. This measure will help avoid the dumping of hazardous lamps in Hawaii from other jurisdictions that have banned these products, reduce electricity bills, reduce greenhouse gas emissions, and avoid the production of harmful mercury.

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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 192, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 192, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

**SCRep. 1817 Commerce and Consumer Protection on H.B. No. 541**

The purpose and intent of this measure is to:

- (1) Require proper head lamp specifications for vehicle safety inspections; and
- (2) Require the Department of Transportation to amend its administrative rules to allow motor vehicle owners whose motor vehicle registration and safety inspection are both expired to obtain a motor vehicle safety inspection without evidence of a motor vehicle's registration before registering the motor vehicle.

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 finds that existing law specifies that head lamps for motor vehicles be of a certain strength. However, safety inspections for motor vehicles in the State do not require that motor vehicles adhere to the head lamp requirements and specifications found in existing law. This measure requires motor vehicles in the State to have head lamps compliant with existing law to pass a safety inspection and further requires the Department of Transportation to amend its rules regarding safety inspections to improve and streamline the process of motor vehicle safety inspections 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 is in accord with the intent and purpose of H.B. No. 541, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

**SCRep. 1818 Commerce and Consumer Protection on H.B. No. 1046**

The purpose and intent of this measure is to:

- (1) Replace the term "school health aides" with "school health assistants" to reflect recent changes to the job title; and
- (2) Authorize the administration of medication to public school students by school health assistants with the approval of a health care professional within the Department of Education, the Department of Health, or a health care service pursuant to a written agreement with the Department of Education.

Your Committee received testimony in support of this measure from the Department of Health, Department of Education, University of Hawai'i System, Hawai'i State Center for Nursing, and Epilepsy Foundation of Hawaii.

Your Committee finds that under existing law, all medication administered by school health assistants in Hawaii public schools must be reviewed and approved by the Department of Health. Many public schools currently have a registered nurse, advanced practice registered nurse, or other specialized health care provider on campus through written agreements with the Department of Education. However, existing law prevents these health care professionals who are already on campus from performing the function of medication administration approval. This measure authorizes these health care professionals to approve medication administered by school health assistants to promote efficient, accessible, and safe health care for public school students.

Your Committee acknowledges concerns raised in testimony that school health assistants should also be able to administer certain medications to treat anaphylaxis, asthma, and seizure disorders. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by specifying that nasal and other premeasured medication, including but not limited to auto-injectable epinephrine for anaphylaxis, bronchodilators for asthma, and seizure rescue medication for seizure disorders, may be administered by school health assistants.

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. 1046, 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. 1046, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

**SCRep. 1819 Commerce and Consumer Protection on H.B. No. 907**

The purpose and intent of this measure is to:

- (1) Temporarily allow for the reimbursement of services provided through telehealth via an interactive telecommunications system and two-way, real-time audio-only communications in certain circumstances; and
- (2) Define “interactive telecommunications system”.

Your Committee received testimony in support of this measure from the Department of Human Services, University of Hawai‘i System, AlohaCare, Alzheimer’s Association, American Cancer Society Cancer Action Network, Epilepsy Foundation of Hawaii, Hawaiian Islands Association for Marriage and Family Therapy, Hawaii Medical Association, Hawai‘i Pacific Health, Hawai‘i Primary Care Association, Hawai‘i Psychological Association, Hawaii Substance Abuse Coalition, National Union of Healthcare Workers, National Association of Social Workers – Hawai‘i, Hawai‘i Health & Harm Reduction Center, and ten individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Medical Service Association.

Your Committee finds that the State faces a continued shortage of health care providers, particularly on the neighbor islands and in rural areas. The definition of “telehealth” has traditionally required both audio and video capabilities and excluded standard telephone contacts. However, elderly, as well as medically- and socially-complex patients often face limited broadband access and personal difficulty navigating the technological requirements of accessing traditional video telehealth services. In these instances, telephonic communication has become a viable alternative for many individuals in these communities to overcome barriers, enabling them to access health care remotely. Including audio-only communication in the definition of “interactive telecommunications system” for health insurers in certain circumstances, will allow patients to better access and utilize the telehealth option.

Your Committee acknowledges the concerns raised in testimony that this measure, as currently drafted, could cause confusion with respect to the reimbursement of telehealth services. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying the definition of “interactive telecommunications system”;
- (2) Clarifying the definition of “telehealth”;
- (3) Clarifying the conditions for reimbursement of “audio-only” telehealth;
- (4) Substituting the phrase “face-to-face” with “in-person”, where relevant; 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 H.B. No. 907, 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. 907, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).

**SCRep. 1820 Judiciary on H.B. No. 522**

The purpose and intent of this measure is to remove the ability of the Governor or a mayor to suspend electronic media transmission during a state of emergency.

Your Committee received testimony in support of this measure from one member of the Hawai‘i County Council; League of Women Voters of Hawaii; Hawaii Bulletin; Civil Beat Law Center for the Public Interest; Hawaii Association of Broadcasters, Inc.; and Big Island Press Club. Your Committee received testimony in opposition to this measure from the Hawai‘i Emergency Management Agency. Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that allowing a mayor or the Governor to suspend the transmission of electronic media during a state of emergency could be perceived as unconstitutional by restraining free speech and publication. Prior restraints against lawful speech have been resoundingly rejected by the Supreme Court of the United States. This measure will ensure that the public’s constitutional rights remain protected during a state of emergency.

Your Committee has amended this measure by inserting an effective date of March 22, 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. 522, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 522, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1821 Judiciary on H.B. No. 819**

The purpose and intent of this measure is to designate limu kala (*Sargassum echinocarpum*) as the official Hawaii state limu.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Kua‘āina Ulu ‘Auamo, Mālama Pūpūkea-Waimea, Mālama Limu Club of Kamehameha Schools, and five individuals.

Your Committee finds that limu has a unique ecological and cultural value to the people of Hawai'i and that four species of limu are endemic to the waters of the State, including limu kala. Your Committee further finds that limu kala has a significant role in Native Hawaiian history and culture, as it is used as traditional bait for reef fish, used to treat minor cuts and scratches, and used in the conflict resolution process of ho'oponopono. This measure recognizes the critical role of this critical species of limu in Hawai'i's ecosystem and seeks to increase awareness and knowledge of limu kala amid the current decline of desirable limu species throughout the State.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 819, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 819, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1822      Judiciary on H.B. No. 884**

The purpose and intent of this measure is to exempt from state licensure requirements out-of-state traveling team physicians who accompany a sports team to Hawai'i, under certain conditions.

Your Committee received testimony in support of this measure from the University of Hawai'i System and Hawaii Medical Board. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs.

Your Committee finds that Hawai'i is one of only a few states that do not already have provisions allowing exemptions for physicians traveling in association with sport teams events in the State. The lack of a provision for visiting physicians may result in teams being hesitant to travel to Hawai'i to compete. This measure will allow teams from other states that compete in Hawai'i to have the support of their medical staff, if necessary.

Your Committee has amended this measure by:

- (1) Specifying that a physician who has an agreement with a sports team to provide care and travel with the team for a sporting event in the State shall meet certain requirements in order to be exempt from state licensure requirements;
- (2) Inserting the term "bona fide" to the terms "national sports governing body" and "national sports training center";
- (3) Clarifying that an exemption for a physician who has an agreement with a sports team to provide care and travel with the team for a sporting event in the State:
  - (A) Shall be valid while the physician is traveling with the sports team, but no longer than ten days per individual sporting event; and
  - (B) That upon application to the Hawaii Medical Board and for good cause shown, the Hawaii Medical Board may extend the time period up to twenty days per sporting event, for a total of thirty days; provided that no physician shall be granted extensions that total more than thirty days in a calendar year;
- (4) Removing language that would have required the Hawaii Medical Board to adopt rules to effectuate 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 H.B. No. 884, 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. 884, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1823      (Majority) Judiciary on H.B. No. 983**

The purpose and intent of this measure is to define the terms "public servant" and "government" in section 701-108, Hawaii Revised Statutes, to clarify the scope and applicability of provisions related to the time limitations to bring prosecution based on misconduct in office.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that section 701-108(3)(b), Hawaii Revised Statutes (HRS), extends the time limitations to bring prosecutions based on misconduct in office by a public officer or employee, because misconduct by public officials often takes substantial time to discover and investigate. However, section 701-108, HRS, currently does not define "public officer or employee". Your Committee further finds that the use of the term "public officer or employee" in section 701-108, HRS, is not consistent with chapter 710, HRS, which uses the term "public servant". Therefore, this measure will clarify the terms; help prevent unnecessary litigation; and ensure the proper applicability of section 701-108, HRS.

Your Committee has amended this measure by:

- (1) Removing the definition of "government"; 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. 983, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 983, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1824 Judiciary on H.B. No. 1412**

The purpose and intent of this measure is to:

- (1) Prohibit any contract or license agreement between a publisher and library in the State from precluding, limiting, or otherwise restricting the library from performing customary operational and lending functions; restricting the library from disclosing any terms of its license agreements to other libraries; and requiring, coercing, or enabling a library to violate rules regarding confidentiality of a patron's library records;
- (2) Deem contracts that contain prohibited provisions an unfair or deceptive act or practice and void and unenforceable;
- (3) Prohibit libraries from copying or printing purchased electronic literary material; and
- (4) Exempt existing contracts that provide libraries with electronic literary products from vendors and aggregators.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i State Public Library System, and two individuals. Your Committee received testimony in opposition to this measure from The Authors Guild; Copyright Alliance; Motion Picture Association; Software & Information Industry Association; Independent Book Publishers Association; Association of American Publishers; American Booksellers Association; News/Media Alliance; American Society of Composers, Authors & Publishers; Broadcast Music Inc; Digital Media Licensing Association; National Press Photographers Association; Recording Industry Association of America; American Association of Independent Music; American Society of Media Photographers; Entertainment Software Association; Independent Film & Television Alliance; National Music Publishers' Association; and one individual. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the digital resource landscape is rapidly changing and new licensing models are being developed and offered by publishers to state libraries. In the past decade, publishers have moved away from public libraries being allowed to own e-books and towards a licensing or leasing model, which may come at a high cost. This measure will help ensure that the state libraries continue to have the ability to enter into licensing agreements with aggregators and publishers for a reasonable price.

Your Committee has amended this measure by:

- (1) Specifying that no contract entered between any publisher and library in the State shall preclude, limit, or restrict the library from performing customary operational functions including any provision that:
  - (A) Requires the library to acquire a license for any electronic literary material at a price greater than that charged to the public for the same item in accordance with federal law; and
  - (B) Restricts the total number of times a library may loan any licensed electronic literary materials over the course of any license agreement and if the publisher offers a license agreement to libraries for perpetual public use without the restrictions, it shall be at a price that is considered reasonable and equitable as agreed to by both parties; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1412, 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. 1412, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4; Ayes with Reservations (Gabbard). Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1825 Judiciary on H.B. No. 1107**

The purpose and intent of this measure is to make state law consistent with federal law regarding legal limits for gross vehicle weights, axle loads, and wheel loads traveling on all public roadways.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that it is in the State's interest to preserve its roadways and bridge infrastructures. Therefore, there should be clear weight limits on commercial vehicles in the State. This measure will simplify the definition of legal vehicle weights for commercial vehicles and apply it uniformly 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 H.B. No. 1107, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1826 Judiciary on H.B. No. 977**

The purpose and intent of this measure is to abolish the Community Council on Purchase of Health and Human Services.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Accounting and General Services, and State Procurement Office.

Your Committee finds that the Community Council on Purchase of Health and Human Services (Council) was established in 1997 to advise the State Procurement Administrator in the development of an improved standardized process for the purchase of health and human services that optimizes information-sharing, planning, and service delivery efforts. More than twenty-five years later, administrative rules are well established and both providers and purchasing agencies are accustomed to the State's procurement process. The Council has accomplished its statutory mission and has not met since April 2010. This measure is a housekeeping measure that eliminates an obsolete provision of law.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 977, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1827 Judiciary on H.B. No. 950**

The purpose and intent of this measure is to:

- (1) Extend the duration of assisted community treatment and continued assisted community treatment orders that a family court may issue; and
- (2) Reduce the time period that the family court must find the relevant criteria are likely to continue for orders of continued assisted community treatment.

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

Your Committee finds that for persons suffering from severe mental illness who meet the criteria for assisted community treatment, their period of appropriate supervision and treatment often exceeds the current one-year limit, requiring the parties to come back into court seeking another one-year period of treatment. This measure will obviate the need for instituting new court proceedings so soon, while retaining protections already in the assisted community treatment law for discharging patients from assisted community treatment orders where the criteria for the order no longer exist and will give people with serious mental illness the option, when needed, for longer court-mandated treatment.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 950, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1828 (Majority) Judiciary on H.B. No. 1088**

The purpose and intent of this measure is to amend the conditions, manner, and areas in which the Commission on Water Resource Management of the Department of Land and Natural Resources can declare water shortages and emergencies.

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 Honolulu Board of Water Supply. Your Committee received comments on this measure from the Department of Water of the County of Kaua'i and Department of Water Supply of the County of Hawai'i.

Your Committee finds that, currently, water shortage plans have only been developed in water management areas. These plans establish criteria for declaring water shortages and actions that must be undertaken by water use permit holders to protect the health of ground and surface water resources for as long as water shortage conditions exist. This measure will require water shortage plans to be developed statewide and provide clarity that the Commission on Water Resource Management has the authority to declare water shortages in any area, within and outside of a water management area.

Your Committee has amended this measure by:

- (1) Adding language that authorizes the Commission on Water Resource Management to declare an emergency if it determines, in consultation with the appropriate county and the Department of Health, that there is an absence of sufficient quantity and quality of water in any area, whether within or outside of a water management area, that threatens the public health, safety, and welfare;
- (2) Adding language that authorizes the Commission on Water Resource Management to issue orders reciting the existence of the emergency and requiring such actions as the Commission on Water Resource Management deems necessary to address the emergency be taken, including but not limited to apportioning, rotating, limiting, or prohibiting the use of the water resources of the area;
- (3) Adding language that allows any party to whom an emergency order is directed to challenge that order but require that they must immediately comply with the order pending disposition of the party's challenge;
- (4) Adding language that requires the Commission on Water Resource Management to give precedence to a hearing on the challenge over all other pending matters;
- (5) Repealing subsection (g) of section 174C-62, Hawaii Revised Statutes; 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. 1088, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1088, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3; Ayes with Reservations (Gabbard). Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1829      Judiciary on H.B. No. 710**

The purpose and intent of this measure is to:

- (1) Establish the class C felony offense of using or making false statements or entries in matters within the jurisdiction of the executive, legislative, or judicial branch of the State, or any county;
- (2) Disqualify a person charged with using or making a false statement or entry from holding any elected or appointed office in the executive, legislative, or judicial branches for a period of ten years; and
- (3) Amend the offense of obstruction of justice, increase it to a class B felony, and remove the allowance that an offender be eligible for a deferred acceptance of guilty plea or nolo contendere plea.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Office of the Public Defender.

Your Committee finds that to improve the standard of conduct within government and to more effectively combat fraud, waste, and corruption, it is necessary to establish criminal offenses and penalties, including the offense of obstruction of justice. This measure will restore public trust in state government and increase the level of transparency in its operations and accountability of individuals.

Your Committee has amended this measure by:

- (1) Removing part I of the measure, which would have established the class C felony offense of using or making false statements or entries in matters within the jurisdiction of the executive, legislative, or judicial branch of the State, or any county and disqualified a person charged with using or making a false statement or entry from holding any elected or appointed office in the executive, legislative, or judicial branches for a period of ten years;
- (2) Restoring the offense of obstruction of justice to a class C felony for activity under section 710-1072.5(1)(a), Hawaii Revised Statutes, regarding a witness refusing to testify;
- (3) Removing language that would have specified that a person who is charged for the offense of obstruction of justice for activity under section 710-1072.5(1)(a), Hawaii Revised Statutes, regarding a witness refusing to testify, is not eligible for a deferred acceptance of guilty plea or nolo contendere plea;
- (4) Inserting an effective date of March 22, 2075, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the offense of using or making false statements or entries is addressed by other measures under consideration this regular session.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 710, 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. 710, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1830      (Majority) Judiciary on H.B. No. 676**

The purpose and intent of this measure is to authorize the appropriate county land use decision-making authority to determine district boundary amendments involving land areas over fifteen acres, except lands that are designated as important agricultural land or lands where the soil is classified by the Land Study Bureau's detailed land classification as overall (master) productivity class A or B, if the county has adopted an ordinance that meets certain requirements.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Office of Housing and Community Development of the County of Hawai'i, Hawai'i Association of REALTORS, and Maui Chamber of Commerce. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs and Hawai'i Alliance for Progressive Action. Your Committee received comments on this measure from the Land Use Commission, Sierra Club of Hawai'i, and the Grassroot Institute of Hawaii.

Your Committee finds that the counties are responsible for determining district boundary amendments involving land areas of fifteen acres or less and not within the conservation district. Your Committee further finds that district boundary amendments involving lands in the conservation district, land areas greater than fifteen acres, and lands delineated as important agricultural lands are processed by the Land Use Commission through a quasi-judicial process. Your Committee believes that a change to this system of district boundary amendment approvals for certain larger parcels of land will provide the counties with greater flexibility to meet the needs of their communities while also requiring the counties to consider broader, secondary impacts, including impacts on state and county infrastructure, and opportunities to provide housing.

Your Committee has amended this measure by specifying that the appropriate county land use decision-making authority may determine district boundary amendments involving land areas over fifteen acres but not over thirty acres, except lands that are designated as important agricultural land or lands where the soil is classified by the Land Study Bureau's detailed land classification as overall (master) productivity class A or B, if the county has adopted an ordinance that meets certain requirements.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 676, 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. 676, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (San Buenaventura).

**SCRep. 1831 (Joint/Majority) Commerce and Consumer Protection and Ways and Means on H.B. No. 197**

The purpose and intent of this measure is to:

- (1) Require the Department of Health to establish a Refrigerant Management Program to reduce emissions of high global warming potential refrigerants and any refrigerant that is an ozone depleting substance from stationary, commercial, and industrial refrigeration systems and air conditioning systems and adopt rules for the regulation of the use of such refrigerants;
- (2) Require the State Building Code Council to establish codes and standards consistent with the goal of reducing greenhouse gas emissions associated with hydrofluorocarbons when updating the State Building Code;
- (3) Specify that no law, rule, ordinance, or code, including the State Building Code, shall prohibit or limit the use of a refrigerant deemed acceptable under federal law; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Health, Hawai'i Climate Change Mitigation and Adaptation Commission, Hawai'i Environmental Change Agents, Kauai Climate Action Coalition, Citizens' Climate Lobby Hawaii, Climate Protectors Hawai'i, 350Hawaii.org, and fourteen individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the Environmental Protection Agency identifies hydrofluorocarbons (HFCs) as greenhouse gases that have high global warming potential, which raises concern about their impacts as they become increasingly used as replacements for ozone-depleting refrigerants. Your Committees also find that climate-friendly alternatives are available with zero to low potential for contributing to global warming. This measure aligns with many of the State's climate change goals and will position the State in a leadership role in phasing out these harmful substances.

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 Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 197, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 197, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.  
Commerce and Consumer Protection: Ayes, 4. Noes, 1 (Awa). Excused, none.  
Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1832 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 1134**

The purpose and intent of this measure is to:

- (1) Prohibit commercial ocean use activity in Kaneohe Bay waters without a permit;
- (2) Prohibit any person from advertising any commercial ocean use activity in Kaneohe Bay waters for which the person does not have a permit; and
- (3) Establish enforcement mechanisms for the prohibitions.

Your Committees received testimony in support of this measure from the Ko'olau Foundation, Hawaii State Aha Moku, Kaneohe Bay Regional Council, Ko'olaupoko Hawaiian Civic Club, and three individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that Kaneohe Bay and attractions in the bay, such as the Kaneohe Bay sandbar, have been excessively promoted via social media and through unpermitted tour operators who advertise and operate without regard for laws, rules, regulations, and cultural consideration. Non-permitted commercial operators set up advertisements and online payment schemes and bring guests, circumventing the principles and intentions of the original 1992 Kaneohe Bay master plan. On weekends or holidays, the laws, rules, and regulations meant to protect Kaneohe Bay often go unenforced. This measure strengthens the laws regarding restricted activities at Kaneohe Bay, thus preserving one of the State's important resources.

Your Committees acknowledge the concerns raised in testimony that the Department of Land and Natural Resources (DLNR) may have difficulty proving that a commercial operator was compensated for their services, complicating enforcement efforts. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have required DLNR to establish administrative penalties and fines for violations of section 200-39, Hawaii Revised Statutes;

- (2) Clarifying that any law enforcement officer shall have the authority to issue citations and otherwise enforce the provisions established by this measure;
- (3) Clarifying DLNR's authority to hold, store, and charge fees for confiscated property;
- (4) Inserting language authorizing DLNR to dispose of confiscated property after it remains unclaimed for more than ten working days;
- (5) Clarifying that penalties established by rule pursuant to section 200-39, Hawaii Revised Statutes, shall be separate and in addition to any other fees, charges, and fines imposed by DLNR;
- (6) Clarifying the definition of "commercial ocean use activity"; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Additionally, your Committees further request that, as this measure advances through the Legislative process, a delayed implementation date be considered to provide sufficient time for current operators to phase out their commercial operations at Kaneohe Bay.

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. 1134, H.D. 2, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1134, H.D. 2, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1833 Ways and Means on H.B. No. 678**

The purpose and intent of this measure is to clarify a county's obligations with respect to housing developed through the housing development programs overseen by the Hawaii Housing Finance and Development Corporation.

Your Committee received written comments in support of this measure from American Savings Bank; Housing Hawaii's Future; Kobayashi Group, LLC; Hawaii Chapter of NAIOP; Ikenakea Development, LLC; First Hawaiian Bank; 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.

Your Committee received written comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the affordable housing credit program supported by this measure will help address the State's affordable housing crisis by incentivizing the development of housing pursuant to Chapter 201H, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Clarifying that the purpose of the measure is to provide a new source of interim financing for affordable housing using the housing program in Chapter 201H, Hawaii Revised Statutes;
- (2) Requiring the Hawaii Housing Finance and Development Corporation to conduct a study and report to the Legislature on the efficacy of housing credit programs;
- (3) Requiring the Hawaii Housing Finance and Development Corporation, in conducting the study required by the measure, to coordinate its efforts with the Land Use Commission, Hawaii Community Development Authority, and planning and housing departments for each county;
- (4) Appropriating an unspecified sum to the Hawaii Housing Finance and Development Corporation for fiscal year 2023-2024 to contract for services to conduct the study required by the measure;
- (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.

Your Committee further finds that the study required and funded by this amended measure will assist the State in determining how to improve the affordable housing credit program and whether to extend it.

As affirmed by the record of votes of the members 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. 678, 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. 678, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1834 Ways and Means on H.B. No. 690**

The purpose and intent of this measure is to facilitate agricultural investment.

Specifically, the measure:

- (1) Establishes within the Department of Agriculture the Hawaii agricultural investment program, which is intended to provide matching grants for certain agricultural programs and activities;

- (2) Requires the Department of Agriculture to submit to the Legislature annual reports regarding the programs and activities funded under the Hawaii agricultural investment program; and
- (3) Appropriates moneys to the Department of Agriculture to establish the Hawaii agricultural investment program and two full-time equivalent (2.0 FTE) positions within the program.

Your Committee received written comments in support of this measure from the Ulupono Initiative, Hawaii Cattlemen's Council, Local Food Coalition, Hawaii Farmers Union United, Hawaii Alliance for Progressive Action, and two individuals.

Your Committee received written comments on this measure from the Office of Hawaiian Affairs, Hawaii Department of Agriculture, Hawaii Farm Bureau, and Humane Society of the United States.

Your Committee recognizes that more than eighty-five percent of all food consumed in the State is imported, and that food security is a top priority. Your Committee finds that a dedicated source of funding for agricultural programs and activities will help alleviate the financial burdens that affect the State's agricultural sector.

Your Committee has amended this measure by:

- (1) Establishing the Hawaii agricultural investment program within and appropriating related moneys to the Agribusiness Development Corporation, rather than the Department of Agriculture;
- (2) Deleting a provision requiring that every \$3 of a grant awarded through the program and paid from state funds be matched by \$1 paid from federal, private, or other sources; and
- (3) Requiring that the annual report to the Legislature regarding the programs and activities funded under the program include an assessment of the number of socially disadvantaged farmers and ranchers served by the 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 H.B. No. 690, 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. 690, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1835 Ways and Means on H.B. No. 714**

The purpose and intent of this measure is to require that the securing of mooring lines from vessels requiring tug assistance to the State's commercial docks, wharves, piers, quays, and landings be performed by a stevedoring company.

Your Committee received written comments in opposition to this measure from Island Plastic Bags, Inc.; Chamber of Commerce Hawaii; General Contractors Association of Hawaii; Par Hawaii; American Marine Corporation; Aloha Petroleum, LLC; Maui Chamber of Commerce; and Contractors Association of Kauai.

Your Committee received written comments on this measure from the Department of Commerce and Consumer Affairs Division of Consumer Advocacy, Department of Transportation, Island Energy Services, Hawaii Gas, Hawaiian Electric, Young Brothers, Sause Bros., Building Industry Association of Hawaii, and Hawaiian Cement.

Your Committee finds that requiring vessels to be moored by mariners who are certified in, and familiar with, the State's current regulations and unique commercial harbors, will help ensure that goods are loaded and unloaded safely.

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. 714, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 714, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1836 Ways and Means on H.B. No. 837**

The purpose and intent of this measure is to promote the use of green infrastructure in the State.

More specifically, this measure:

- (1) Establishes green infrastructure objectives, policies, and priority guidelines for state facility systems, infrastructure, and transit projects;
- (2) Establishes as a policy of the State the promotion of increased outdoor public green spaces, connection of outdoor public green spaces with existing trails, promotion of increasing the urban tree canopy, and prioritization of the use of Hawaiian plants;
- (3) Requires the Office of Planning and Sustainable Development, in partnership with the greenhouse gas sequestration task force, to submit to the Legislature a report of its findings and recommendations regarding the implementation of green infrastructure objects, policies, and priority guidelines; and
- (4) Appropriates moneys to the Department of Business, Economic Development, and Tourism.

Your Committee received written comments in support of this measure from the Office of Planning and Sustainable Development, Department of Land and Natural Resources, Climate Change Mitigation and Adaptation Commission, Climate Protectors Hawaii, Hawaii Environmental Change Agents' Decarbonization of Buildings Task Force, Kauai Women's Caucus, and one individual.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that promoting the use of green infrastructure in the State will help to decrease urban temperatures, reduce carbon emissions, improve air quality, and capture water to replenish the State's water table.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$150,000 to an unspecified amount; and
- (2) Changing the number of full-time equivalent policy analyst positions established from one full-time equivalent position to an unspecified number 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. 837, 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. 837, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1837 Ways and Means on H.B. No. 947**

The purpose and intent of this measure is to establish a tax credit for food manufacturers.

Your Committee received written comments in support of this measure from the Hawaii Food Manufacturers Association, Hawaii Food Industry Association, Ulupono Initiative, Hawaii Farm Bureau, Maui Chamber of Commerce, and two individuals.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Agriculture, Department of Taxation, Hawaii Technology Development Corporation, and Tax Foundation of Hawaii.

Your Committee recognizes that high production costs and narrow profit margins impose financial burdens on farmers and food producers and deter the creation and distribution of food products. Accordingly, your Committee finds that a tax credit for food manufacturers may eventually lead to increased revenues for farmers and ranchers, promote agriculture, and ensure food security.

Your Committee has amended this measure by:

- (1) Providing that no taxpayer that claims the food manufacturer tax credit shall qualify for a grant under the manufacturing development program under section 206M-15.1, Hawaii Revised Statutes, for the same expenses;
- (2) Deleting the definitions of "local value-added processed, agricultural, or food product" and "primary agricultural product";
- (3) Amending the definition of "qualified taxpayer" by deleting the word "local"; 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. 947, 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. 947, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1838 Ways and Means on H.B. No. 908**

The purpose and intent of this measure is to strengthen the buying power of the Legacy Land Conservation Program.

Specifically, this measure increases the maximum amount of conveyance tax revenues allocated to the Land Conservation Fund from \$5,100,000 to \$9,800,000 per fiscal year.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; Coastal Planners, LLC; Hawaii Land Trust; Hawaii Life; Hawaii Reef and Ocean Coalition; Hiipaka, LLC; Kua'aina Ulu 'Auamo; Livable Hawaii Kai Hui; Maunalua Fishpond Heritage Center; The Nature Conservancy, Hawaii and Palmyra; and four individuals.

Your Committee received written comments on this measure from the Hawaii Association of REALTORS and Tax Foundation of Hawaii.

Your Committee finds that this measure is intended to ensure adequate funding for land conservation.

As affirmed by the record of votes of the members 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. 908, 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, 2 (Wakai, Fevella).

**SCRep. 1839 Ways and Means on H.B. No. 110**

The purpose and intent of this measure is to allow the counties to issue special number plates to commemorate Duke Kahanamoku.

More specifically, this measure:

- (1) Authorizes the issuance of special number plates commemorating 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 each director to charge an additional fundraising fee for renewal of the special number plate; and
- (4) Provides that the net revenue generated by the fundraising fees be directed to the Outrigger Duke Kahanamoku Foundation to fund certain programs.

Your Committee received written comments in support of this measure from the Office of Hawaiian Affairs; FreediveSafe! Hawaii; Hawaiian Lifeguard Association; Kauai Lifeguard Association; Outrigger Duke Kahanamoku Foundation; Servco Pacific, Inc.; and numerous individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that the issuance of a special number plate commemorating Duke Kahanamoku is an appropriate way to honor and remember Duke Kahanamoku.

As affirmed by the record of votes of the members 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. 110, 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, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1840 Ways and Means on H.B. No. 339**

The purpose and intent of this measure is to exempt certain positions within the Department of Human Services from civil service status.

Your Committee received written comments in support of this measure from Catholic Charities Hawaii, Hawaii Children's Action Network Speaks!, and Parents and Children Together.

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

Your Committee recognizes that the nine positions specified by this measure for exemption from civil service require certain levels of expertise and experience that are not necessarily available within the civil service. Accordingly, your Committee finds that the proposed exemptions are reasonable and will allow the Department of Human Services to better perform its duties and serve the community.

As affirmed by the record of votes of the members 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. 339, 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, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1841 Ways and Means on H.B. No. 67**

The purpose and intent of this measure is to provide continued support for the University of Hawaii Windward Community College pu'uhonua "places of sanctuary" program.

More specifically, the measure appropriates funds to the University of Hawaii for the establishment of three additional full-time equivalent staff positions for the pu'uhonua program.

Your Committee received written comments in support of this measure from the University of Hawaii, Department of Public Safety, Kahalu'u Neighborhood Board No. 29, Community Alliance on Prisons, ACLU of Hawaii, Ko'olau Foundation, and numerous individuals.

Your Committee finds that Windward Community College's pu'uhonua program serves incarcerated populations by providing educational opportunities and education credits leading to degrees and certificates. Your Committee also finds that students in the program are much less likely to recidivate and be reincarcerated after release from prison. Your Committee further finds that this measure will provide the program with the additional staff needed to maintain student counseling, instructional support, and coursework coordination services.

Your Committee has amended this measure by changing the number of additional program staff positions from three to an unspecified number to facilitate further discussion.

As affirmed by the record of votes of the members 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. 67, 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. 67, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Aquino, Wakai, Fevella).



**SCRep. 1842 Ways and Means on H.B. No. 222**

The purpose and intent of this measure is to ensure the achievement of fair and full funding of Medicaid medical care and long-term supports and services providers.

Specifically, this measure:

- (1) Adjusts the method by which the Department of Human Services calculates payments to providers of medical care and long-term supports and services; and
- (2) Appropriates funds.

Your Committee received written comments in support of this measure from AARP Hawaii, Adult Foster Homecare Association of Hawaii, Alliance of Professional Primary Care Administrators, Alliance of Residential Care Administrators, Community Home Care Association of Hawaii, Providers Helping Hands of Hawaii, United Caregivers of Hawaii, and seventeen individuals.

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

Your Committee finds that, due to the significant number of Hawaii residents receiving Medicaid coverage, health care providers often receive less reimbursement from Medicaid than from Medicare or commercial insurance for the same service. Your Committee also finds that lesser reimbursements contribute to the challenges that health care providers face in sustaining their practices, leading some providers to limit or refuse to accept Medicaid patients.

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 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. 222, 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. 222, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Kim, Wakai, Fevella).

**SCRep. 1843 Ways and Means on H.B. No. 361**

The purpose and intent of this measure is to appropriate moneys to the Department of Land and Natural Resources for the Green Jobs Youth Corps.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii State Energy Office, 350Hawaii, Hawaii Energy, Hawaii Reef and Ocean Coalition and Climate Protectors Hawaii, Holomua Collaborative, HPM Building Supply, Kuaaina Ulu Auamo, Kupu, Hawaii Forest Industry Association, The Nature Conservancy Hawaii and Palmyra, Title Guaranty of Hawaii, and four individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that appropriating moneys to support the Green Jobs Youth Corps will provide emerging professionals with opportunities to gain skills in natural resource management while helping to protect the State's natural and cultural resources.

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. 361, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 361, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Kim, Wakai, Fevella).

**SCRep. 1844 Ways and Means on H.B. No. 382**

The purpose and intent of this measure is to appropriate funds for the operating and capital improvement program costs of the Judiciary for the fiscal biennium beginning July 1, 2023, and ending June 30, 2025.

Your Committee received written comments in support of this measure from the Judiciary, Maui County Bar Association, Hawaii State Bar Association, Volunteer Legal Services Hawaii, Hawaii State Bar Association - Collection Law Section, Hawaii Access to Justice Commission, and Legal Aid Society.

**OPERATING BUDGET**

The Judiciary requested the following funds for fiscal biennium 2023-25 operating expenses:

JUDICIARY	FY 2024	FY 2025
General Funds	\$164,891,486	\$164,891,486
All Means of Financing	\$177,900,433	\$177,900,433

Your Committee has amended this budget to appropriate the following in funds for operating expenses:

SENATE	FY 2024	FY 2025
General Funds	\$180,661,782	\$184,862,180
All Means of Financing	\$193,886,358	\$198,215,996

**CAPITAL IMPROVEMENT PROGRAM BUDGET**

The Judiciary requested the following funds for fiscal biennium 2023-25 capital improvement program budget:

JUDICIARY	FY 2024	FY 2025
General Obligation Bond Funds	\$16,225,000	\$0
Total by All Means of Financing	\$16,225,000	\$0

Your Committee has amended this measure by appropriating the following funds for the Judiciary’s capital improvement program budget:

SENATE	FY 2024	FY 2025
General Obligation Bond Funds	\$12,730,000	\$0
General Funds	\$3,000,000	\$0
Total by All Means of Financing	\$15,730,000	\$0

As affirmed by the record of votes of the members 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. 382, 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. 382, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
 Ayes, 13. Noes, none. Excused, none.

**SCRep. 1845 Ways and Means on H.B. No. 388**

The purpose and intent of this measure is to facilitate the provision of instructional materials to students.

Specifically, this measure:

- (1) Adopts the United States Secretary of Education’s National Instructional Materials Accessibility Standard; and
- (2) Requires the Department of Education to follow certain procedures to ensure that eligible students having disabilities obtain instructional materials in an appropriate and accessible format.

Your Committee received written comments in support of this measure from the Department of Education, Disability and Communication Access Board, Hawaii State Committee of Blind Vendors, National Federation of the Blind of Hawaii, National Organization of Parents of Blind Children Hawaii Representative, and numerous individuals.

Your Committee received written comments on this measure from the Department of the Attorney General.

Your Committee finds that adopting the United States Secretary of Education’s National Instructional Materials Accessibility Standard is necessary to ensure equal access to education.

Your Committee has amended this measure by clarifying the types of materials that the individualized education program for an eligible student is required to identify.

As affirmed by the record of votes of the members 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. 388, 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. 388, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
 Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1846 Ways and Means on H.B. No. 406**

The purpose and intent of this measure is to improve health care for Hawaii’s veterans.

Specifically, this measure:

- (1) Requires the Department of Health and Oahu Regional Health Care System to develop a strategic plan for the utilization of all Oahu regional health care system facilities and to submit a corresponding report;
- (2) Extends the date to assimilate the Daniel K. Akaka State Veterans Home into the Oahu Regional Health Care System;
- (3) Requires the Oahu Regional Health Care System and the Department of Defense to report on the progress of constructing and hiring an operator for the Daniel K. Akaka State Veterans Home; and
- (4) Appropriates moneys for a transitional treatment and housing facility on the Leahi Hospital campus.

Your Committee received written comments in opposition to this measure from the Hawaii Government Employees Association.

Your Committee received written comments on this measure from the Oahu Region Hawaii Health Systems Corporation and State Office of Veterans Services.

Your Committee finds that due to supply chain issues caused by the coronavirus disease 2019 pandemic, completion of the Daniel K. Akaka State Veterans Home has been delayed by approximately one year. Accordingly, your Committee believes that it is appropriate to extend, from June 30, 2023, to June 30, 2024, the deadline for transferring the home.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated from \$1,000,000 to an unspecified amount to facilitate further discussion on the measure; and
- (2) Making the appropriation for fiscal year 2023-2024 only.

As affirmed by the record of votes of the members 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. 406, 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. 406, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1847 (Joint) Ways and Means and Judiciary on H.B. No. 163**

The purpose and intent of this measure is to require the Department of Human Resources Development to conduct a study to review the repricing processes in section 89-9, Hawaii Revised Statutes, and submit to the Legislature a report prior to the convening of the Regular Session of 2024.

Your Committees received written comments in support of this measure from the Department of Human Resource Development and Hawaii Psychological Association.

Your Committees received written comments on this measure from the United Public Workers, AFSCME Local 646, AFL-CIO, and Hawaii Government Employee Association.

Your Committees recognize that in collective bargaining law, repricing is the reassignment of an existing class from one pay range to another without a change in duties when it has been found that the class is not in proper internal alignment with other classes in the same bargaining unit. Your Committees also recognize that under existing law, employees may face some difficulties in obtaining repricing of classifications. Your Committees therefore believe that an effort to evaluate existing repricing provisions is a positive step toward ensuring that public employees are paid competitive and fair wages.

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. 163, H.D. 1, 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, 2 (Moriwaki, Shimabukuro).  
Judiciary: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

**SCRep. 1848 (Joint) Judiciary and Ways and Means on H.B. No. 1101**

The purpose and intent of this measure is to:

- (1) Establish a fee cap amount for county stormwater user fees that may be charged against or collected from the Department of Transportation of \$1,500,000 in the aggregate per year; and
- (2) Prohibit each county from denying services to the Department of Transportation by reason of nonpayment of user fees.

Your Committees received testimony in support of this measure from the Department of Transportation; Hawaii Harbors Users Group; and Matson Navigation Company, Inc. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Hawai'i Community Foundation and Building Owners and Managers Association of Hawai'i.

Your Committees find that over the past two years, the range of annual stormwater fee amounts proposed by the City and County of Honolulu for harbors and airports has vastly varied, and it is unclear what fee schedule is likely to be approved by the Honolulu City Council. This measure and the proposed cap on stormwater user fees will ensure that the Department of Transportation can plan for a maximum fee on an annual basis should the counties impose a fee structure.

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. 1101, H.D. 1, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).  
Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1849 (Joint) Judiciary and Ways and Means on H.B. No. 1090**

The purpose and intent of this measure is to:

- (1) Specify the methods by which the Department of Land and Natural Resources can issue new ocean recreation commercial permits and renew existing ocean recreation commercial permits;
- (2) Specify that new permits for ocean recreation management areas and facilities where a permit limit is implemented shall be issued by the method and order set specified, until the limit is reached; and

- (3) For renewal of existing permits in ocean recreation management areas and facilities where a permit limit is implemented, base renewal of a commercial permit on seniority, until the limit is reached.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and Ocean Tourism Coalition. Your Committees received testimony in opposition to this measure from Anelakai Adventures.

Your Committees find that the Department of Land and Natural Resources (Department) is currently in the process of addressing the rampant commercial marine activity taking place in the State near shore waters. This will require limiting the number of commercial use permits for high use areas. When the Department proposes to implement a permit limit through administrative rules for an area that previously did not have any type of permit limit, the Department must issue permits to all those who apply and qualify for permits until the limit is finalized. Due to the rulemaking process taking months and even years, many people can obtain permits while the Department works to implement the limit. This "run on permits" is the reason that many areas have permit counts that exceed limits, therefore this measure will help the Department to bring the permit counts down to the appropriate limits established in rule.

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. 1090, H.D. 1, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1850 (Joint/Majority) Judiciary and Ways and Means on H.B. No. 1217**

The purpose and intent of this measure is to:

- (1) Prohibit any person other than those authorized pursuant to chapter 329, part IX or chapter 329D, Hawaii Revised Statutes, from cultivating, producing, manufacturing, distributing, possessing, or dispensing cannabis for medical use;
- (2) Clarify that the definition of "distribution" within the definition of "medical use" is limited to the transfer of cannabis and cannabis paraphernalia from the qualifying patient's registered primary caregiver to the qualifying patient;
- (3) Clarify that the authorization for the medical use of cannabis does not apply to the cultivation, handling, or possession of a qualifying patient's cannabis for medical use, unless the person is the qualifying patient or the qualifying patient's registered primary caregiver;
- (4) Increase the restriction on the number of qualifying patients who may use a grow site to fifty, unless an exemption is obtained by the Department of Health, and authorizes the Department of Public Safety to inspect grow sites for compliance;
- (5) Establish that a person who is not a qualifying patient, primary caregiver, qualifying out-of-state patient, or caregiver of a qualifying out-of-state patient or medical cannabis dispensary under chapter 329D, Hawaii Revised Statutes, shall not be afforded certain protections;
- (6) Authorize only a qualifying patient or their designated primary caregiver to cultivate cannabis after December 31, 2024;
- (7) Repeal a provision in existing law that exempts certain qualifying patients from obtaining medical cannabis or manufactured cannabis products from authorized sources;
- (8) Prohibit the mischaracterization or disguise of transactions arising out of the production, manufacture, sale, or distribution of cannabis intended for medical use as another type of compensation or expense;
- (9) Clarify that no qualifying patient, primary caregiver, qualifying out-of-state patient, or caregiver of a qualifying out-of-state patient shall use butane or any other flammable solvent to process cannabis plants or manufacture cannabis products; and
- (10) Prohibit a person from producing, manufacturing, or dispensing cannabis or manufactured cannabis products without a dispensary license unless authorized.

Your Committees received testimony in support of this measure from the Department of Health, Aloha Green Apoth, Cure Oahu, and two individuals. Your Committees received testimony in opposition to this measure from Kaua'i Farm Planning and twelve individuals. Your Committees received comments on this measure from Akamai Cannabis Consulting, Oahu Cannabis Farms Alliance, Maine Craft Cannabis Association, and fifteen individuals.

Your Committees find that medical cannabis dispensaries are regulated under chapter 329D, Hawaii Revised Statutes, and the individual medical use of medical cannabis is regulated under chapter 329, Hawaii Revised Statutes. By definition, any activity that falls outside of these regulations is not regulated cannabis. Clarity as to what is permitted by law is fundamental to any legal, regulated system. There is currently some confusion in the marketplace and community of medical cannabis patients as to what is permissible under the law. This measure amends various statutory provisions for the purpose of providing clarity and strengthening the integrity of cannabis law.

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. 1217, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

Ways and Means: Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1851 (Joint) Judiciary and Ways and Means on H.B. No. 1156**

The purpose and intent of this measure is to:

- (1) Authorize psychiatrists, advanced practice registered nurses, and interested parties to request the Director of Health to file an assisted community treatment petition;
- (2) For requests that satisfy the criteria for assisted community treatment, require the Director of Health to file a petition for assisted community treatment within a certain number of days;
- (3) Authorize the Family Court to use online hearings for assisted community treatment petitions;
- (4) Require the Department of Health to report to the Legislature prior to the Regular Session of 2025 on the number of requests for petitions for assisted community treatment submitted to the Director of Health since July 1, 2023; and
- (5) Appropriate funds.

Your Committees received testimony in support of this measure from the State Council on Mental Health and one individual. Your Committees received testimony in opposition to this measure from the Department of Health and American Civil Liberties Union of Hawai'i. Your Committees received comments on this measure from the Judiciary.

Your Committees find that certain individuals who live with behavioral issues deserve necessary medical treatment when it is in their best interest. In these situations, it is important to ensure that those persons receive necessary treatment including treatment ordered by the court. This measure would support the timely provision of treatment and care for individuals who lack decisional capacity by improving the process for interested parties to petition for assisted community treatment for these individuals.

Your Committees have amended this measure by:

- (1) Authorizing psychiatrists, advanced practice registered nurses, and interested parties to request the assistance of the Department of the Attorney General to assist in the preparation and filing of assisted community treatment petitions;
- (2) Removing language that would have specified that an interested party may request the Director of Health to file an assisted community treatment petition; shall be responsible for providing information to the Director of Health to support an assisted community treatment petition; and shall have the right to bring a petition on their own behalf if the Director of Health has not filed a petition within a certain number of days;
- (3) Removing language that would have required the Director of Health to review the request for the Director of Health to file an assisted community treatment petition as expeditiously as possible upon receipt of the request and, if the request satisfies the requirements, to file a petition within a certain number of days;
- (4) Specifying that after July 1, 2023, the Department of the Attorney General shall assist with the preparation and filing of any assisted community treatment petition brought and any related court proceedings; provided that, if the petitioner is a private provider or other private individual, the petitioner may decline the assistance;
- (5) Removing language that would have required the Director of Health to report to the Legislature twenty days prior to the Regular Session of 2025 on the number of requests for petitions for assisted community treatment;
- (6) Adding language that requires the Department of the Attorney General to report to the Legislature forty days prior to the Regular Sessions of 2024 and 2025 on the number of requests for assistance with the preparation and filing of petitions for assisted community treatment;
- (7) Removing additional judge positions from the appropriation to the Judiciary;
- (8) Making conforming amendments;
- (9) Amending section 1 to reflect its amended purpose; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that the Senate Draft 2 of this measure contains an unspecified appropriation amount. Should this measure proceed through the legislative process, your Committees respectfully request an appropriation amount of \$200,000 for fiscal years 2023-2024 and 2024-2025 to the Judiciary for increased compensation for guardians ad litem appointed to assisted community treatment cases be considered.

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. 1156, 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. 1156, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1852 (Joint/Majority) Judiciary and Ways and Means on H.B. No. 1108**

The purpose and intent of this measure is to amend the law relating to vehicle weight violations by replacing the fine schedule and increasing the potential fines based on multitude and magnitude of vehicle weight violations.

Your Committees received testimony in support of this measure from the Department of Transportation.

Your Committees find that certain roadways and transportation infrastructure may be adversely impacted by vehicles beyond permissible weight limits. To preserve roadways, bridges, and other transportation infrastructure across the State, simplifying the definitions of legal vehicle weights for commercial vehicles will provide uniform applicability. This measure will more effectively deter grossly overweight vehicles from operating without obtaining a permit.

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. 1108, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1108, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 4. Noes, 1 (Awa). Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1853 (Joint) Judiciary and Ways and Means on H.B. No. 1082**

The purpose and intent of this measure is to:

- (1) Authorize the Department of Health to allow written certifications for a patient with a chronic condition to be valid for three years;
- (2) Remove the requirement that a certifying physician or advanced practice registered nurse have a “bona fide” physician-patient or advanced practice registered nurse-patient relationship to certify that a patient has a debilitating medical condition pursuant to chapter 329, Hawaii Revised Statutes;
- (3) Amend the definition of “manufactured cannabis product” to include devices that provide safe pulmonary administration, edible cannabis products, and pre-rolled cannabis flower products;
- (4) Define “waiting room” within a medical cannabis retail dispensary;
- (5) Allow primary caregivers, qualifying out-of-state patients, and caregivers of a qualifying out-of-state patient to access the waiting room;
- (6) Allow selling dispensaries to transport not more than eight hundred ounces of cannabis or manufactured cannabis products to purchasing dispensaries within a thirty-day period, or other amounts with prior approval of the Department of Health;
- (7) Clarify the types of medical cannabis products that may be manufactured and distributed pursuant to the State’s medical cannabis dispensary system;
- (8) Clarify that each day of a violation of chapter 329D, Hawaii Revised Statutes, is a separate violation;
- (9) Amend the rulemaking authority for dispensary-to-dispensary sales; and
- (10) Require medical cannabis dispensaries, in conjunction with physicians and advanced practice registered nurses who issue written certifications pursuant to section 329-123, Hawaii Revised Statutes, to conduct the continuing education and training program required by section 329D-26, Hawaii Revised Statutes, rather than the Department of Health.

Your Committees received testimony in support of this measure from the Department of Health, Aloha Green Apothecary, Hawai‘i Cannabis Industry Association, Cure Oahu, Big Island Grown, and Pono Life Maui. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Akamai Cannabis Consulting, and Metrc.

Your Committees find 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. This measure will improve the law to allow certain people access to areas in a medical cannabis retail dispensary and clarify numerous other provisions in the law.

Your Committees have amended this measure by:

- (1) Adding language that establishes a Medical and Adult Use of Cannabis Working Group;
- (2) Adding language that requires the Medical and Adult Use of Cannabis Working Group to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than ten days prior to the convening of the Regular Session of 2024; 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. 1082, H.D. 3, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1082, H.D. 3, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1854 Judiciary on H.B. No. 1104**

The purpose and intent of this measure is to repeal the exemption relating to the issuance of citations for violations of section 291-35, Hawaii Revised Statutes, relating to vehicle gross weight, axle, and wheel loads.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the Department of Transportation receives funding from the Federal Highway Administration (FHWA) for infrastructure improvements and maintenance. To receive FHWA funds, the Department of Transportation must follow federal regulations for the size and weight for motor vehicles traveling on the interstate systems in the State. However, there are several inconsistencies, inclusions, and exclusions within the existing state rules, and they do not conform to federal regulations. This measure aligns state rules with federal regulations.

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. 1104, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1104, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1855 Ways and Means on H.B. No. 991**

The purpose and intent of this measure is to assist the Hawaii Technology Development Corporation in facilitating economic development in the State.

Specifically, this measure:

- (1) Changes the cap for awards to assist businesses applying for the Small Business Innovation Research Grant Program and the Small Business Technology Transfer Grant Program to an unspecified amount; and
- (2) Adds the purchase of renewable energy systems as an eligible expense, and clarifies that training on both new and existing manufacturing equipment are eligible expenses, for the Manufacturing Development Grant Program.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Food Manufacturers Association; and Hawaii Food Industry Association.

Your Committee received written comments on this measure from the Hawaii Technology Development Corporation.

Your Committee finds that the Hawaii Technology Development Corporation's grant programs provide leverage and positive economic development value for the State. Your Committee further finds that grant recipients are key contributors to the State's food security, sustainability, resiliency, and innovation.

Your Committee has amended this measure by inserting language from Senate Bill No. 1297, Senate Draft 2, that amends the composition of the Hawaii Technology Development Corporation's Board of Directors to:

- (1) Delete reference to an "appointed member from the University of Hawaii"; and
- (2) Include the Chairperson of the Board of Regents of the University of Hawaii, unless the Chairperson, with the approval of the Board of Regents, designates another Regent to serve.

As affirmed by the record of votes of the members 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. 991, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 991, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1856 Ways and Means on H.B. No. 1131**

The purpose and intent of this measure is to appropriate moneys to the Hawaii Friends of Restorative Justice as a Chapter 42F, Hawaii Revised Statutes, grant to study all programming offered to persons incarcerated at correctional facilities in the State and to convene a group of incarcerated women for the purpose of identifying gaps in the programming offered to female inmates.

Your Committee received written comments in support of this measure from Rainbow Family 808, the Stonewall Caucus of the Democratic Party of Hawaii, ACLU of Hawaii, and three individuals.

Your Committee received written comments on this measure from the Department of Public Safety, Hawaii Correctional System Oversight Commission, and Women's Prison Project.

Your Committee finds that the study funded by this measure will help the State evaluate the programming currently offered in Hawaii's correctional facilities; identify unmet programming needs; and plan for improvements that will comply with the law's requirement of gender parity, reduce recidivism, and help prepare incarcerated women for successful reentry.

Your Committee has amended this measure by:

- (1) Making the following amendments, as recommended in written comments from the Hawaii Correctional System Oversight Commission:
  - (A) Assigning responsibility for the study required by the measure, and appropriating moneys for the study, to the Hawaii Correctional System Oversight Commission, rather than Hawaii Friends of Restorative Justice;

- (B) Changing the appropriation from a grant made pursuant to Chapter 42F, Hawaii Revised Statutes, to a standard appropriation;
  - (C) Making the Department of the Attorney General the expending agency for the appropriation, rather than the Judiciary; and
  - (D) Changing the study's completion date to June 30, 2024; 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. 1131, 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. 1131, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1857 Ways and Means on H.B. No. 1194**

The purpose and intent of this measure is to assist Hawaii in qualifying for the benefits of a United States Economic Development Administration-designated economic development district.

Specifically, this measure:

- (1) Establishes the Hawaii Economic Development District Planning Organization;
- (2) Establishes four temporary economic development planning analyst positions; and
- (3) Appropriates moneys to the Department of Business, Economic Development, and Tourism.

Your Committee received written comments in support of this measure from the Office of Planning and Sustainable Development and Maui Chamber of Commerce.

Your Committee finds that establishing an economic development district, which is a multi-county entity tasked to help lead and coordinate locally-developed and regionally-driven economic development in Hawaii, will help to drive Hawaii's economy and increase the likelihood of federal fund investment in the designated area.

Your Committee has amended this measure by:

- (1) Changing the number of full-time equivalent positions established from four full-time equivalent (4.0 FTE) positions to an unspecified number; 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. 1194, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1194, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1858 Ways and Means on H.B. No. 1366**

The purpose and intent of this measure is to establish the return-to-home pilot program.

More specifically, this measure:

- (1) Requires the Department of Human Services to:
  - (A) Coordinate the return-to-home pilot program to help reunite eligible homeless individuals with their families and relatives in the homeless individuals' home states; and
  - (B) Contract with eligible nonprofit organizations, for-profit organizations, or foundations to administer the pilot program;
- (2) Establishes restrictions on participation in the pilot program; and
- (3) Appropriates moneys to the Department of Human Services to establish a full-time equivalent planner position to draft rules, procure services, and oversee the return-to-home pilot program.

Your Committee received written comments in support of this measure from the Hawaii Lodging and Tourism Association, The Institute for Human Services, and numerous individuals.

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

Your Committee finds that helping homeless individuals return to their home states will help to address homelessness in Hawaii while helping to end each program participant's cycle of homelessness.

Your Committee has amended this measure by:

- (1) Changing the number of full-time equivalent positions established from one full-time equivalent (1.0 FTE) position to an unspecified number; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1366, 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. 1366, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1859 (Joint) Judiciary and Ways and Means on H.B. No. 153**

The purpose and intent of this measure is to:

- (1) Add a minimum penalty of \$50 and a maximum penalty of \$60,000 per violation of the State Water Code and make each day that a violation exists or continues to exist a separate offense;
- (2) Require the Commission on Water Resource Management to determine the amount of the penalty based on the circumstances of the violation;
- (3) Create two positions within the Commission on Water Resource Management; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committees find that the State Water Code's penalties and fines must be strengthened to deter violators because current fines and penalties appear to be too low to act as an effective deterrent. This measure will clarify and strengthen the State Water Code and ensure that all violators of the State Water Code are held accountable.

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. 153, H.D. 1, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.  
Judiciary: Ayes, 4. Noes, none. Excused, 1 (Gabbard).  
Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1860 (Joint) Judiciary and Ways and Means on H.B. No. 622**

The purpose and intent of this measure is to:

- (1) Establish a Prevent Suicide Hawai'i Working Group within the Office of Wellness and Resilience;
- (2) Require the Prevent Suicide Hawai'i Working Group to focus on preventing suicides in the State, particularly among Native Hawaiians, Pacific Islanders, farmers, youth, LGBTQIA+, veterans, and other populations identified by the federal Centers for Disease Control and Prevention as a high-risk population for suicide; implement recommendations in the Prevent Suicide Hawai'i Task Force's interim report; and report to the Legislature before the Regular Session of 2025.

Your Committees received testimony in support of this measure from the Office of Wellness and Resilience, State Council on Mental Health, University of Hawai'i System, Hawaii Primary Care Association, Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i Family Forum, 'Ahahui o nā Kauka, Prevent Suicide Hawai'i Taskforce, Papa Ola Lokahi, Samaritan Counseling Center Hawaii, and nine individuals. Your Committees received comments on this measure from the Department of Health and Department of Human Services.

Your Committees find that suicide has long been a public health issue in the State. According to the Centers for Disease Control and Prevention, suicide is the leading cause of death for all state residents aged ten to forty-four. The State's rates of suicide now consistently rank above the national average. This measure will establish a Prevent Suicide Hawai'i Working Group, which will help prevent suicide and reduce the number of suicide deaths in the State.

Your Committees have amended this measure by removing language that would have specified that no member of the Prevent Suicide Hawai'i Working Group shall be subject to chapter 84, Hawaii Revised Statutes, solely because of the member's participation in the working group.

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. 622, 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. 622, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.  
Judiciary: Ayes, 5. Noes, none. Excused, none.  
Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1861 (Joint) Judiciary and Ways and Means on H.B. No. 647**

The purpose and intent of this measure is to:

- (1) Establish a definition of "low alcohol by volume spirits beverage";
- (2) Establish a tax on low alcohol by volume spirits beverages at a rate of \$1.98 per wine gallon; and
- (3) Expand the definition of "beer" under the State's liquor tax and liquor regulatory laws, to specify that the term includes an alcohol by volume of no less than 0.5 per cent, but excludes certain other forms of distillation.

Your Committees received testimony in support of this measure from Pacific Business Advocates LLC, Johnson Brothers of Hawaii, and Kōloa Rum Company. Your Committees received testimony in opposition to this measure from Lanikai Brewing Company, Wine Institute, Craft 'Ohana, Constellation Brands Beer Division, Molson Coors, Brewers Association, Heineken, and Beer Institute. Your Committees received comments on this measure from the Department of Taxation.

Your Committees find 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, 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 Hawai’i-grown products and will have a significant benefit for local, small, independent craft breweries across the State.

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. 647, H.D. 1, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1862 (Joint) Judiciary and Ways and Means on H.B. No. 1036**

The purpose and intent of this measure is to formally establish the Hawaii State Fusion Center as a program under the Office of Homeland Security to be transferred to the Department of Law Enforcement on January 1, 2024, and delineate its roles and responsibilities.

Your Committees received testimony in support of this measure from the Hawai’i Emergency Management Agency, Office of Homeland Security, Department of Law Enforcement, Department of Human Services, and Retail Merchants of Hawaii. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the Hawaii State Fusion Center (HSFC) has protected Hawaii’s residents and critical infrastructure for over a decade by supporting public safety agencies and communities. As the hub of information and intelligence sharing, the HSFC brings together federal, state, county, and private sector partners to ensure Hawaii and the nation’s safety. The HSFC collaborates with its partners to receive, analyze, and disseminate threat-related information and plays a vitally important role in the State’s homeland security. This measure will bring formal recognition to the HSFC and ensure that the Hawaii Office of Homeland Security will continue to provide the necessary support to keep the State, residents, and critical infrastructure safe.

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 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. 1036, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1036, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Moriwaki, Shimabukuro).

**SCRep. 1863 Ways and Means on H.B. No. 451**

The purpose and intent of this measure is to provide funding for the pilot visitation and family resource center at Waiawa Correctional Facility.

More specifically, this measure:

- (1) Clarifies that certain appropriations made pursuant to Act 125, Session Laws of Hawaii 2022, for the establishment of the pilot visitation and family resource center at Waiawa Correctional Facility shall not lapse until June 30, 2024; and
- (2) Appropriates moneys for the pilot visitation and family resource center at Waiawa Correctional Facility.

Your Committee received written comments in support of this measure from the Department of Public Safety, Hawaii Correctional System Oversight Commission, American Civil Liberties Union of Hawaii, Blueprint for Change, Community Alliance on Prisons, Ekolu Mea Nui, Hawaii Children’s Action Network Speaks!, Hawaii Ohana Support Network, Hawaii Youth Services Network, Papa Ola Lokahi, and numerous individuals.

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

Your Committee finds that providing funding for the pilot visitation and family resource center at Waiawa Correctional Facility will support the rehabilitation of affected inmates.

Your Committee has amended this measure by:

- (1) Changing the appropriations in Act 125, Session Laws of Hawaii 2022, from \$305,000 and \$115,000, respectively, to unspecified amounts to facilitate further discussion on the measure; and
- (2) Making a technical nonsubstantive amendment to insert Ramseyer language appropriate to the foregoing amendment.

As affirmed by the record of votes of the members 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. 451, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 451, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1864 Ways and Means on H.B. No. 473**

The purpose and intent of this measure is to appropriate moneys for the State Foundation on Culture and the Arts Creative Workforce Grant program, which awards grants to eligible nonprofit arts and culture organizations to support a living wage for creative workers.

Your Committee received written comments in support of this measure from the State Foundation on Culture and the Arts, Hawaii Forest Industry Association, Alexander Academy Performing Company, and eight individuals.

Your Committee finds that the grants supported by this measure will help provide a living wage for creative workers, reduce barriers to participation for local artists, benefit and diversify the State's economy, and ensure that arts and culture-related programs are available and accessible for all of the State's residents, including residents on neighbor islands.

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. 473, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 473, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1865 Ways and Means on H.B. No. 475**

The purpose and intent of this measure is to establish and appropriate moneys for the Art in Private Places and Performing Arts Committee, within the State Foundation on Culture and the Arts, to establish and administer the Art in Private Places and Performing Arts Pilot Programs.

Your Committee received written comments in support of this measure from the State Foundation on Culture and the Arts, Hawaii Forest Industry Association, Alexander Academy Performing Company, and six 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 one individual.

Your Committee finds that the arts are an important part of the State's creative economy. The committee and pilot programs established and funded by this measure will help support performing arts and make visual arts more publicly accessible.

Your Committee has amended this measure by:

- (1) Clarifying that two members representing the performing arts community should be selected by the chairperson and invited to serve on the committee;
- (2) Ensuring that the full titles of the "art in private places pilot program," and "performing arts pilot program," are used consistently throughout the measure;
- (3) Specifying that revenues from the art in private places pilot program should be deposited into the performing arts special account established by the measure;
- (4) Including a definition of "private places," in the measure's new statutory text, rather than in appropriation language;
- (5) Clarifying that the position established and funded by the measure should oversee the pilot programs established by 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 H.B. No. 475, 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. 475, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1866 Ways and Means on H.B. No. 478**

The purpose and intent of this measure is to support culture and the arts in the State.

More specifically, this measure:

- (1) Establishes qualifications for membership on the State Foundation on Culture and the Arts Commission; and
- (2) Appropriates moneys to the State Foundation on Culture and the Arts to award one-time fellowships to promising artists.

Your Committee received written comments in support of this measure from the State Foundation on Culture and the Arts, East Hawaii Cultural Center, The Hawaii Forest Industry Association, and numerous individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that awarding fellowships to promising artists in the State will help to support, recognize, and celebrate the artists' contributions to Hawaii's culture.

Your Committee has amended this measure by:

- (1) Correcting the name of the State Foundation on Culture and the Arts' individual artist fellowship program; 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. 478, 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. 478, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1867 Ways and Means on H.B. No. 546**

The purpose and intent of this measure is to require and appropriate moneys for the Fuel Tank Advisory Committee to hold no fewer than one regular meeting in each quarter of the calendar year.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Board of Water Supply of the City and County of Honolulu, Environmental Caucus of the Democratic Party of Hawaii, and one individual.

Your Committee received written comments on this measure from the Department of Health, Sierra Club of Hawaii, and one individual.

Your Committee finds that conducting quarterly meetings of the Fuel Tank Advisory Committee will allow more timely disclosure of any spill events; facilitate better communication regarding current efforts to recover and remediate contaminated aquifers; provide a regular forum for the public to present concerns; and allow more coordination among committee members to address concerns related to the administrative order on consent regarding the Red Hill Bulk Fuel Storage Facility, including the development of ground-water flow models and contaminant fate and transport models, and the construction of monitor wells to assess aquifer contamination.

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. 546, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 546, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1868 Ways and Means on H.B. No. 968**

The purpose and intent of this measure is to appropriate moneys to the University of Hawaii to fund three full-time equivalent (3.0 FTE) academic and support services specialist positions for the University of Hawaii Pamantasan Council.

Your Committee received written comments in support of this measure from Filipinos for Affirmative Action, Hawaii Friends of Civil Rights, and numerous individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that appropriating moneys for academic and support services specialist positions for the University of Hawaii Pamantasan Council will help increase enrollment and support of Filipino students at the university.

Your Committee has amended this measure by:

- (1) Deleting the specification for the appropriation to fund three full-time equivalent positions; 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. 968, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 968, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1869 Ways and Means on H.B. No. 1301**

The purpose and intent of this measure is to appropriate moneys for the University of Hawaii Cancer Center to conduct a multiethnic cohort study focusing on the social determinants of health, lifestyles, environmental exposures, and resilience factors of Native Hawaiians, Pacific Islanders, and Filipinos.

Your Committee received written comments in support of this measure from the University of Hawaii Cancer Center, Office of Hawaiian Affairs, Leukemia and Lymphoma Society, Hawaii Primary Care Association, American Cancer Society Cancer Action Network, Hawaii Medical Association, and twenty-two individuals.

Your Committee received written comments on this measure from the University of Hawaii and one individual.

Your Committee finds that Native Hawaiians, Pacific Islanders, and Filipinos have some of the highest rates of certain types of cancer. Your Committee notes that although previous studies have identified diet, tobacco use, sociocultural impacts, and other contributing factors, those factors do not fully account for reasons these ethnicities experience higher cancer rates compared to the general population. Your Committee believes that the moneys appropriated by this measure will support efforts to identify additional factors that contribute to increased cancer rates for individuals of Native Hawaiian, Pacific Islander, or Filipino descent and provide guidance to address those disparities.

As affirmed by the record of votes of the members 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. 1301, 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, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1870 Ways and Means on H.B. No. 994**

The purpose and intent of this measure is to require the Office of Planning and Sustainable Development to conduct a study to refine rural district policies and identify strategies for the expansion of the rural district.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Agriculture; and Hawaii Farm Bureau.

Your Committee received written comments on this measure from the Office of Planning and Sustainable Development and Ulupono Initiative.

Your Committee finds that the limited use and availability of the rural district encourages land owners to creatively farm so that they may benefit from the reduced real property tax rates of the agricultural district. Your Committee believes that expanding the use of the rural district will help to distinguish rural communities from subsistence farms and allow 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 H.B. No. 994, 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, 2 (Wakai, Fevella).

**SCRep. 1871 Ways and Means on H.B. No. 974**

The purpose and intent of this measure is to establish and appropriate moneys for a full-time program specialist position within the Department of Agriculture that, among other duties, shall assist farmers, ranchers, and other agricultural operators in applying for and obtaining agricultural grants.

Your Committee received written comments in support of this measure from the Office of Hawaiian Affairs, Hawaii Department of Agriculture, Ulupono Initiative, Hawaii Farm Bureau, Hawaii Cattlemen's Council, and one individual.

Your Committee recognizes that local farmers, ranchers, and other agricultural operators face significant competition when applying for agricultural grants offered by the United States Department of Agriculture and other sources. Accordingly, your Committee finds that the establishment of a new grant specialist position will provide needed assistance to these applicants when competing for grants.

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 H.B. No. 974, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 974, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1872 Ways and Means on H.B. No. 978**

The purpose and intent of this measure is to promote health and human services procurement efficiency, program success, and government accountability.

More specifically, this measure:

- (1) Clarifies the requirements for health and human services treatment services to be purchased by the State;
- (2) Transfers from the Administrator of the State Procurement Office to the heads of health and human services purchasing agencies certain duties relating to the purchase of health and human services treatment services; and
- (3) Changes the small purchase threshold for health and human services from \$25,000 to an amount less than the threshold established in section 103D-305(a), Hawaii Revised Statutes, for goods and services.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services and State Procurement Office.

Your Committee finds that transferring duties relating to the purchase of health and human services treatment services from the Administrator of the State Procurement Office to the heads of the health and human services purchasing agencies and changing the small purchase threshold for health and human services will expedite the provision to the public of critical services.

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. 978, 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. 978, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1873 Ways and Means on H.B. No. 660**

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds in a total amount not to exceed \$240,000,000, for the purpose of assisting Hawaii Pacific Health, a Hawaii nonprofit corporation, and its nonprofit affiliates to finance construction, improvements, and equipment costs at Straub Medical Center.

Your Committee received written comments in support of this measure from Hawaii Pacific Health.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee recognizes that pursuant to part II of Chapter 39A, Hawaii Revised Statutes, the Department of Budget and Finance may issue special purpose revenue bonds to finance projects for not-for-profit corporations that provide health care facilities to the general public. Your Committee finds that the projects at Straub Medical Center meet this statutory criteria, as the projects are ultimately intended to redevelop the Center into a future-forward medical facility for the community.

Your Committee has amended this measure by changing the:

- (1) Special purpose revenue bond authorization from \$240,000,000 to an unspecified amount; and
- (2) 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. 660, 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. 660, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1874 Ways and Means on H.B. No. 600**

The purpose and intent of this measure is ensure each child in the State can safely traverse state streets.

Specifically, this measure:

- (1) Requires the Department of Transportation's Safe Routes to School Program Coordinator to develop a comprehensive statewide safe routes to school plan;
- (2) Clarifies that the Safe Routes to School Program Coordinator is the central point of contact for all Safe Routes to School programs; and
- (3) Appropriates funds for the Department of Transportation to hire staff.

Your Committee received written comments in support of this measure from the State Council on Developmental Disabilities, Department of Education, Department of Health, Department of Transportation, Department of Transportation Services of the City and County of Honolulu, Democratic Party of Hawaii Labor Caucus, Hawaii Bicycling League, AlohaCare, Hawaii Children's Action Network Speaks!, Maui Bicycling League, Hawaii Public Health Institute, Ulupono Initiative, and eighteen individuals.

Your Committee finds that decades of automobile-centric planning and development have created barriers to safety for keiki and kupuna on our roads. Your Committee further finds that recent deaths outside of Department of Education schools have illustrated the need for immediate action to create safer routes to schools.

Your Committee has amended this measure by:

- (1) Establishing a Safe Routes to School Advisory Committee and specifying the Committee's membership and duties;
- (2) Requiring the Safe Routes to School Advisory Committee, rather than the Safe Routes to School Program Coordinator, to create a comprehensive, statewide safe routes to school plan;
- (3) Amending the contents of the comprehensive, statewide safe routes to school plan;
- (4) Repealing language that provides requirements for Safe Routes to School grant proposals, and instead requiring the Safe Routes to School Advisory Committee to develop an application process for projects under the Safe Routes to School Program;

- (5) Requiring annual reports to the Legislature on the status of the Safe Routes to School Program;
- (6) Amending the responsibilities of the Department of Transportation's Safe Routes to School Program to include:
  - (A) The development and publication of goals and performance measures; and
  - (B) The provision of technical assistance to counties and community organizations in support of projects and programs that advance state and county goals;
- (7) Repealing section 291C-3(i), Hawaii Revised Statutes, which pertains to the statutory construction of section 291C-3, Hawaii Revised Statutes, to preserve eligibility for funding under an obsolete federal law;
- (8) Deleting language that would have appropriated general funds to the Department of Transportation to hire staff, and instead:
  - (A) Transferring unspecified sums of state highway fund moneys into the safe routes to school program special fund; and
  - (B) Appropriating unspecified sums out of the safe routes to school program special fund to support and facilitate the Safe Routes to School Program, projects, and Advisory Committee; and to match any federal funds received by the State for costs related to sidewalk and other infrastructure planning, development, and construction;
- (9) Amending the preamble to reflect the measure's amended purpose and to further explain the necessity of the measure; and
- (10) 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. 600, 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. 600, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1875 Ways and Means on H.B. No. 353**

The purpose and intent of this measure is to appropriate moneys for instructional costs and student aid for the certified nurse aide to practical nurse bridge program at the University of Hawaii Maui college.

Your Committee received written comments in support of this measure from the Healthcare Association of Hawaii, Queen's Health System, University of Hawaii Professional Assembly, and one individual.

Your Committee received written comments on this measure from the Hawaii State Center for Nursing.

Your Committee recognizes that the statewide shortage of licensed practical nurses affects residents' access to health care. Accordingly, your Committee finds that an effort to educate and train students to enter this profession will increase the number of licensed practical nurses in the State, which in turn will facilitate the provision of quality health care.

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. 353, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 353, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 3 (Kim, Wakai, Fevella).

**SCRep. 1876 Ways and Means on H.B. No. 999**

The purpose and intent of this measure is to promote economic growth and diversification within the State.

Specifically, this measure:

- (1) Establishes specific state goals for economic growth;
- (2) Appropriates funds to the Hawaii Technology Development Corporation to fund specific projects that address those goals;
- (3) Requires the Hawaii Technology Development Corporation to submit annual reports addressing the progress and outcomes of the projects funded in paragraph (2) over three years; and
- (4) Temporarily reestablishes, for three years, the Hawaii Office of Naval Research Grant Program.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; Hyperspective Studios, Inc.; Nalu Scientific, LLC; Guide Star Engineering LLC; Hawaiian Chip Company, LLC; Blue Startups, LLC; Hawaii Fish Company, Inc.; VisSidus Technologies, Inc.; Aloha Tofu Factory, Inc.; 3D Innovations; Hawaii Food Manufacturers Association; Mana Up; Hawaii Venture Capital Association; Holomua Collaborative; and two individuals.

Your Committee received written comments on this measure from Makai Ocean Engineering, Inc.

Your Committee finds that the projects identified in this measure will serve as a facilitative catalyst for innovation in the State and will help to align the State with the emerging knowledge-based, zero-emission, and digital global economy while putting Hawaii on the path toward economic prosperity.

Your Committee has amended this measure by:

- (1) Amending the appropriation of moneys to the Hawaii Technology Development Corporation for economic diversification projects by clarifying that:
  - (A) \$2,000,000 shall be used to accelerate economic diversification by supporting, enhancing, and encouraging new accelerator programs;
  - (B) \$2,000,000 shall be used to support economic development opportunities with the trade sector by working with strategic partners to build awareness of Hawaii-made products outside of the State;
  - (C) \$2,000,000 shall be used for operations, administration, and award of grants by the Hawaii small business innovation research program;
  - (D) \$2,000,000 shall be used to support economic development opportunities with the defense sector and to support companies conducting small business innovation research to transition past grants into large contracts;
  - (E) \$1,500,000 shall be used for operations, administration, and award of grants by the manufacturing assistance program;
  - (F) \$1,500,000 shall be used to reduce and mitigate climate change through renewable energy technology demonstration projects in support of Hawaii's hydrogen hub proposal to the United States Department of Energy; and
  - (G) Any unencumbered funds shall lapse on June 30, 2026, instead of June 30, 2025;
- (2) Appropriating an unspecified sum to establish within the Hawaii Technology Development Corporation one full-time equivalent asset manager position and one full-time equivalent aerospace development coordinator position; 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. 999, 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. 999, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Keith-Agaran, Moriwaki, Shimabukuro).

**SCRep. 1877 Ways and Means on H.B. No. 1371**

The purpose and intent of this measure is to maximize positive and beneficial uses of recreation areas under the State's jurisdiction.

More specifically, the measure:

- (1) Requires the Department of Land and Natural Resources to prepare a master plan for the Sand Island State Recreation Area that is based on the concept of a "people's park" and includes community and stakeholder participation, a Native Hawaiian arts and cultural center, an assessment of current and future environmental conditions, proposed new facilities and infrastructure, preservation and interpretation of significant historic features, and recommendations for expanding outdoor recreation opportunities; and
- (2) Appropriates funds for preparation of the master plan.

Your Committee received written comments in support of this measure from the Office of the Governor, Department of Land and Natural Resources, PA'I Foundation, The Pillars LLC, Slapp Radio, and numerous individuals.

Your Committee notes that survey data indicate the public's desire for additional outdoor and ocean recreation areas, well-maintained infrastructure and facilities, and the protection of cultural and historic resources, all of which the Sand Island State Recreation Area has the potential to provide. Your Committee finds that the master plan required by this measure will provide an updated vision to develop the Sand Island State Recreation Area into an attractive and important public resource and community gathering space.

Your Committee has amended this measure by 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 H.B. No. 1371, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1371, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1878 Ways and Means on H.B. No. 1375**

The purpose and intent of this measure is to dissolve the Hawaii Tourism Authority and replace it with the Office of Tourism and Destination Management.

Your Committee received written comments in opposition to this measure from CountyTalkStory.com.

Your Committee received written comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Taxation; Hawaii Tourism Authority; Tax Foundation of Hawaii; Grassroot Institute of Hawaii; and Maui Hotel and Lodging Association.



Your Committee finds that establishing an Office of Tourism and Destination Management with the powers and duties set forth in this measure will help to prevent future mismanagement of Hawaii's tourism marketing contracts and the Hawaii Convention Center.

Your Committee has amended this measure by:

- (1) Requiring that the Governor appoint each of the five members of the Board of Directors of the Office of Tourism and Destination Management who represent a particular industry or have a particular background;
- (2) Requiring that the President of the Senate appoint each of the two members representing the County of Maui and the County of Kauai;
- (3) Requiring that the Speaker of the House of Representatives appoint each of the two members representing the County of Hawaii and the City and County of Honolulu;
- (4) Fixing the salary of the Executive Director of the Office of Tourism and Destination Management at ninety percent of the Director of Business, Economic Development, and Tourism, and making the position eligible for the same health and retirement benefits available to other public employees;
- (5) Increasing the appropriation to the Office of Tourism and Destination Management from \$50,000,000 to \$60,000,000 and specifying that the appropriation shall be allocated as follows:
  - (A) \$4,110,649 for administrative costs;
  - (B) \$17,969,351 for destination management; and
  - (C) \$37,920,000 for branding, including major sports;
- (6) Adding an appropriation of \$64,000,000 for repairs and improvements to the Convention Center's rooftop terrace deck;
- (7) Making most sections of the measure effective upon approval, except for sections with fiscal implications, which take effect on July 1, 2023; 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 H.B. No. 1375, 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. 1375, H.D. 3, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Kanuha). Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1879 Ways and Means on H.B. No. 1430**

The purpose and intent of this measure is to establish the Institute of Indigenous Education, Science, and Outreach within the University of Hawaii at Hilo.

Your Committee received written comments in support of this measure from the University of Hawaii; Ke Kula O Nawahiokalaniopuu; Kupuna for the Moopuna; Aha Punana Leo, Inc.; National Coalition of Native American Language Schools and Programs; Government Affairs Committee of the Hawaii Island Chamber of Commerce; and numerous individuals.

Your Committee received written comments on this measure from one individual.

Your Committee finds that the Institute of Indigenous Education, Science, and Outreach established by this measure will help support Hawaiian language revitalization and growth in the State, assist state agencies with Hawaiian language translation services, allow the University of Hawaii at Hilo to develop an early education Hawaiian medium pathway and Hawaiian immersion programs, and allow the Institute to pursue external funding opportunities.

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. 1430, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1430, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1880 Ways and Means on H.B. No. 68**

The purpose and intent of this measure is to improve the centralization and collection of criminal pretrial justice data.

More specifically, the measure:

- (1) Requires that ongoing staff support for the centralized statewide criminal pretrial justice data reporting and collection system be conducted by the Criminal Justice Research Institute's staff rather than a contracted entity;
- (2) Requires the Criminal Justice Research Institute to protect any information and data that may be shared;
- (3) Requires the Criminal Justice Research Institute to submit a semi-annual report to the Legislature, for two years, regarding the creation of the centralized statewide criminal pretrial justice data reporting and collection system; and
- (4) Appropriates moneys to establish the centralized statewide criminal pretrial justice data reporting and collection system.

Your Committee received written comments in support of this measure from the Hawaii Correctional System Oversight Commission and one individual.

Your Committee received written comments on this measure from the Judiciary and Department of the Attorney General.

Your Committee finds that the centralized statewide criminal pretrial justice data reporting and collection system supported by this measure was recommended by the Criminal Pretrial Task Force and mandated by section 614-3, Hawaii Revised Statutes. The data collected through this system will help the State expand its research capacity related to the criminal pretrial system and improve the State's ability to track and monitor criminal pretrial justice system performance metrics.

As affirmed by the record of votes of the members 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. 68, 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, 3 (Aquino, Wakai, Fevella).

**SCRep. 1881 Ways and Means on H.B. No. 69**

The purpose and intent of this measure is to provide financial support for after-school enrichment activities.

More specifically, the measure appropriates funds to the Department of Education for the Department's Resources for Enrichment, Athletics/Academics, Culture, and Health, or REACH, program.

Your Committee received written comments in support of this measure from the Department of Education, Early Childhood Action Strategy, Boys and Girls Club of Hawaii, HE'E Coalition, Connections Public Charter School, HawaiiKidsCAN, After-School All-Stars Hawaii, RAI Hawaii LLC, Hawaii Afterschool Alliance, YMCA of Honolulu, Island of Hawaii YMCA, Parents and Children Together, and six individuals.

Your Committee received written comments on this measure from Hawaii Children's Action Network Speaks! and one individual.

Your Committee finds that this measure's provision of funding for the REACH program, which provides critical, developmentally-aligned educational opportunities to public and charter school middle school and intermediate school students at no cost to their families, is an investment that represents the State's commitment to the well-being of its students, families, and communities.

As affirmed by the record of votes of the members 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. 69, 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, 2 (Wakai, Fevella).

**SCRep. 1882 Ways and Means on H.B. No. 564**

The purpose and intent of this measure is to modernize the Department of Human Resources Development's information technology systems.

Specifically, this measure appropriates funds to the Department of Human Resources Development to:

- (1) Establish two full-time equivalent information technology specialist positions; and
- (2) Upgrade information technology systems within the Department of Human Resources Development, including network upgrades; purchase and install desktop computers, workstations, and laptop computers; and train personnel.

Your Committee received written comments in support of this measure from the Department of Human Resources Development.

Your Committee finds that the Department of Human Resources Development's information technology systems require investment and modernization. Accordingly, this measure appropriates funds to upgrade or replace equipment, hire key information technology personnel, upgrade outdated network infrastructure, and provide necessary training.

Your Committee has amended this measure by:

- (1) Providing that the moneys appropriated shall be expended by the Office of Enterprise Technology Services, rather than the Department of Human Resources Development;
- (2) Changing the number of information technology specialist positions established from two full-time equivalent positions to an unspecified number of full-time equivalent positions; 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. 564, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 564, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1883 (Joint) Ways and Means and Judiciary on H.B. No. 719**

The purpose and intent of this measure is to facilitate more equitable access to government records.

More specifically, the measure:

- (1) Imposes a cap on charges for the reproduction of certain government records;
- (2) Provides that copies of the first one hundred pages of government records shall be provided to the requester at no charge if the record's disclosure serves the public interest, will likely contribute significantly to the public understanding of the government's operations or activities, and is not primarily in the commercial interest;
- (3) Waives the cost of duplication of government records provided to requestors in an electronic format, provided that the agency maintains those documents in an electronic format;
- (4) Imposes a cap on charges for searching for, reviewing, and segregating records; and
- (5) Appropriates funds for two permanent full-time staff positions within the Office of Information Practices.

Your Committees received written comments in support of this measure from Animal Rights Hawaii, League of Women Voters of Hawaii, Civil Beat Law Center for the Public Interest, Community Alliance on Prisons, Holomua Collaborative, Hawaii Bulletin, and five individuals.

Your Committees received written comments in opposition to this measure from two individuals.

Your Committees received written comments on this measure from the Department of Human Services, Department of the Attorney General, Department of Land and Natural Resources, Department of Design and Construction of the City and County of Honolulu, Grassroot Institute of Hawaii, and ACLU of Hawaii.

Your Committees find that public records laws are a critical mechanism to maintain government accountability and transparency, and that fee waivers and caps on charges for records requests will lessen the burden of the search and reproduction costs associated with records requests and thus support citizen involvement in government decision-making.

Your Committees have amended this measure by:

- (1) Inserting the following language into the measure's purpose section, which had been deleted from the prior draft:
  - (A) A legislative finding of the importance of public records laws as a critical mechanism to maintain government accountability and transparency and support citizen involvement in government decision-making; and
  - (B) A legislative finding that this measure adopts the federal Freedom of Information Act standard to define waivers of fees for the search, review, or segregation of disclosable records when in the public interest;
- (2) Amending the definition of "government record" to exclude truly preliminary records, such as personal notes and rough drafts of memoranda, that have not been circulated;
- (3) Requiring that the cost of reproducing physical records be in accordance with rules adopted by the agency having control of the record, rather than rules adopted by the Office of Information Practices;
- (4) Deleting language that would have waived fees for the first one hundred pages of requested government records if the disclosure served the public interest and met other conditions;
- (5) Amending section 92F-13, Hawaii Revised Statutes (HRS), which sets out exceptions to the general rule requiring disclosure, to not require disclosure of inter-agency or intra-agency deliberative and pre-decisional government records concerning an agency decision about a government action that occurs prior to a final decision or abandonment of deliberation, other than purely factual information that is readily segregable;
- (6) Specifies factors to be considered when determining whether a disclosure would serve the public interest and thus qualify for a waiver of fees in certain circumstances;
- (7) Inserting a savings clause and a non-severability clause;
- (8) Specifying that the amendments made to section 92F-13, HRS, shall be repealed on June 30, 2028; and
- (9) 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 H.B. No. 719, 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. 719, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

Judiciary: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).

**SCRep. 1884 (Joint) Ways and Means and Judiciary on H.B. No. 1359**

The purpose and intent of this measure is to facilitate the production of hemp in the State.

Specifically, this measure:

- (1) Streamlines certain state laws regarding hemp production, which would reduce costs for Hawaii farmers and the State;
- (2) Authorizes licensed hemp producers to sell hemp biomass;
- (3) Imposes labeling requirements to identify the percentage of Hawaii-grown hemp or hemp product in all hemp products;
- (4) Requires and appropriates moneys for the Department of Health to hire or consult with a toxicologist or consultant familiar with hemp industry standards;

- (5) Establishes a Hawaii hemp task force to be jointly convened by the Department of Agriculture and the Department of Health to gather data and information to better understand hemp industry needs;
- (6) Requires and appropriates moneys for the Department of Agriculture to hire a hemp consultant; and
- (7) Extends the State's hemp processor law through July 1, 2027.

For your Committees' initial hearing on this measure, your Committees received written comments as follows:

Your Committees received written comments in support of this measure from Ai Pohaku - The Stone Eaters, Hoola Veteran Services, and fourteen individuals.

Your Committees received written comments in opposition to this measure from the Department of the Attorney General and one individual.

Your Committees received written comments on this measure from the Department of Agriculture, Hemptuary Hawaii, Hawaii Sustainable Farms, Hawaii Hemp Farmers Association, Hawaii Farmers Union United, Kauai Hemp Co., and Kuwale Ridge Farms.

Your Committees subsequently reconsidered this measure. At the reconsideration hearing, your Committees received written comments as follows:

Your Committees received written comments in support of this measure from Tropical Sunset Farms.

Your Committees received written comments on this measure from the Department of Health, Hawaii Sustainable Farms, and one individual.

Your Committees recognize that the State's hemp industry currently faces unduly burdensome regulations, which inhibit the industry's growth. Accordingly, your Committees find that reducing this regulatory burden will allow the industry to thrive and lead to increased production of hemp for fuel, food, clothing and building material, natural plastic alternatives, and numerous other products.

Your Committees have amended this measure by:

- (1) Replacing the current hemp registration process with a permitting process;
- (2) Inserting new definitions, revising existing definitions, and repealing unnecessary definitions to effectuate the intent of the measure;
- (3) Clarifying the applicability of Chapter 328G, Hawaii Revised Statutes;
- (4) Replacing a requirement for licensure through the United States Department of Agriculture with a background check requirement;
- (5) Clarifying that a requirement for processing to occur within an enclosed indoor facility is to prevent unauthorized entry and contamination;
- (6) Authorizing the processing of hemp biomass into and sale of crude extract, subject to certain requirements and restrictions;
- (7) Integrating hemp manufacturers into the new hemp processor permitting system;
- (8) Limiting the application of five hundred-foot buffer zones to only the processors of hemp biomass;
- (9) Authorizing the Department of Health to adopt rules to expand allowable tetrahydrocannabinol concentrations and forms on manufactured hemp products;
- (10) Repealing current prohibitions on certain retail sales of hemp flowers and leaves;
- (11) Changing the appropriation for the hiring of a third-party consultant from \$50,000 to an unspecified amount to facilitate further discussion on the measure; and
- (12) 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. 1359, 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. 1359, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

Judiciary: Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1885 Ways and Means on H.B. No. 872**

The purpose and intent of this measure is to appropriate moneys 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, Maui County Office on Aging, County of Kauai Agency on Elderly Affairs, AARP Hawaii, Hawaii Family Caregiver Coalition, Policy Advisory Board for Elder Affairs, Pearl City Community Church, and numerous individuals.

Your Committee finds that since its inception in 2003, the Better Choices Better Health program of the Hawaii Healthy Aging Partnership has seen 3,185 individuals in Hawaii participate in the program. Your Committee notes that based on pre- and post-test data, participants have reported fewer visits to physicians and emergency rooms; experienced reduced pain, fatigue, shortness of breath, and stress; and saved an average of \$654.18 in healthcare costs. Your Committee believes that appropriating funds to continue the program will further benefit the health and well-being of Hawaii's kupuna.

As affirmed by the record of votes of the members 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. 872, 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, 2 (Wakai, Fevella).

**SCRep. 1886 Ways and Means on H.B. No. 989**

The purpose and intent of this measure is to address the deteriorating conditions of the office space used by the Department of Business, Economic Development, and Tourism.

More specifically, the measure appropriates funds to the Department of Business, Economic Development, and Tourism for expenses related to the building renovations of its offices on the fifth floor of the No. 1 Capitol District Building at 250 South Hotel Street on Oahu.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Green Infrastructure Authority.

Your Committee finds that certain expenses related to the aforementioned building renovations, including decluttering, moving and storage of items, and replacement of office partitions, are not included in the Department of Accounting and General Services' solicitation of bids for improvements to the building infrastructure; therefore, the appropriation provided by this measure is needed to provide funding for these additional expenses.

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. 989, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 989, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1887 Ways and Means on H.B. No. 1113**

The purpose and intent of this measure is to improve the administration of drug and alcohol toxicology testing.

Specifically, this measure:

- (1) Renames the state drug and alcohol toxicology testing laboratory, and its special fund, to remove the word "state";
- (2) Authorizes moneys in the state highway fund to be expended for the cost of maintaining the drug and alcohol toxicology testing laboratory;
- (3) Specifies that moneys in the drug and alcohol toxicology testing laboratory special fund shall be administered and expended by the Department of Transportation or appropriated as a grant-in-aid to the Emergency Services Department of the City and County of Honolulu;
- (4) Appropriates moneys from the state highway fund into the drug and alcohol toxicology testing laboratory special fund;
- (5) Appropriate moneys out of the drug and alcohol toxicology testing laboratory special fund for the establishment and maintenance of the drug and alcohol toxicology testing laboratory; and
- (6) Prior to each of the Regular Sessions of 2025 and 2026, requires the Department of Health or the City and County of Honolulu to submit to the Legislature a report on the expenditures made from the drug and alcohol toxicology testing laboratory special fund.

Your Committee received written comments in support of this measure from the Department of Transportation.

Your Committee finds that improving highway safety and protecting the lives of community members and visitors are high priorities. Your Committee believes that establishing a drug and alcohol toxicology testing laboratory will provide law enforcement personnel and adjudicators with the resources necessary to protect the public from impaired drivers.

Your Committee has amended this measure by:

- (1) To comport with article VIII, section 1 of the Hawaii State Constitution, replacing certain references to the City and County of Honolulu with references to "a county with a population of five hundred thousand or more";
- (2) Making amendments to certain Session Laws of Hawaii to conform to the extended repeal date of the drug and alcohol toxicology testing laboratory special fund; and
- (3) Clarifying language intended to prevent the untimely lapsing of funds.

As affirmed by the record of votes of the members 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. 1113, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1113, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, none.

**SCRep. 1888 Ways and Means on H.B. No. 1296**

The purpose and intent of this measure is to develop strategies to timely assist deaf and hard of hearing children.

Specifically, the measure establishes and appropriates moneys for an Early Intervention Services Working Group within the Department of Health to:

- (1) Study and recommend ways to assist and support deaf and hard of hearing children, including best practices for early intervention services and education; and
- (2) Develop strategies to implement the recommendations.

Your Committee received written comments in support of this measure from the Department of Health, Executive Office on Early Learning, and one individual.

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

Your Committee finds that establishing an Early Intervention Services Working Group will help the Department of Health Early Intervention Section identify strategies and best practices to support young deaf and hard of hearing children, assist those children in developing oral language or sign language skills, and ensure that they have the language and communication skills needed to learn effectively in school.

As affirmed by the record of votes of the members 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. 1296, 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, 2 (Wakai, Fevella).

**SCRep. 1889 Ways and Means on H.B. No. 1397**

The purpose and intent of this measure is to provide supportive housing and related services that improve the living conditions, employment prospects, and quality of life for vulnerable populations, including those having special needs and lower incomes.

More specifically, the measure:

- (1) Establishes a supportive housing pilot program within the Statewide Office on Homelessness and Housing Solutions to provide and maintain supportive housing and services for individuals and families having special needs and household incomes at or below thirty percent of the area median income;
- (2) Requires the Statewide Office on Homelessness and Housing Solutions to collaborate with the Hawaii Housing Finance and Development Corporation, Hawaii Public Housing Authority, and various state, county, and community agencies to implement the pilot program;
- (3) Requires the Hawaii Public Housing Authority to implement project-based rent supplement payments to assist project owners in maintaining rental housing units at affordable levels for eligible households;
- (4) Requires the Statewide Office on Homelessness and Housing Solutions to administer payments for supportive services, including employment services, to assist participants in the pilot program and to develop an information system for the standardized collection of program data;
- (5) Requires the Hawaii Housing Finance and Development Corporation, Hawaii Public Housing Authority, and Statewide Office on Homelessness and Housing Solutions to submit joint interim and final reports to the Legislature; and
- (6) Appropriates funds for the implementation of the pilot program, including the establishment of staff positions.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority, Hawaii Housing Finance and Development Corporation, State Council on Developmental Disabilities, Judiciary, Governor's Coordinator on Homelessness, State Council on Mental Health, AARP Hawaii, Hawaiian Humane Society, Catholic Charities Hawaii, Hawaii Substance Abuse Coalition, Pacific Housing Assistance Corporation, Hawaii State Coalition Against Domestic Violence, Hawaii REALTORS, AlohaCare, HOPE Services Hawaii, Partners in Care, and numerous individuals.

Your Committee received written comments on this measure from the State Procurement Office and Department of Human Services.

Your Committee finds that the supportive housing pilot program established by this measure will help the State to determine the impacts of supportive housing for vulnerable populations and provide urgent housing in the midst of the State's homelessness crisis and ongoing housing shortage.

Your Committee has amended this measure by:

- (1) Changing the appropriation amounts to unspecified amounts;
- (2) Deleting from the measure's appropriation sections language that would have established one full-time equivalent permanent staff position in each of the following entities: the Hawaii Housing Finance and Development Corporation; Hawaii Public Housing Authority; and Statewide Office on Homelessness and Housing Solutions; 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. 1397, 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. 1397, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Wakai, Fevella).

**SCRep. 1890 Ways and Means on H.B. No. 1442**

The purpose and intent of this measure is to expand and improve the State's criminal justice diversion program.

More specifically, the measure:

- (1) Expands the scope of the criminal justice diversion program for certain nonviolent petty misdemeanants, and appropriates moneys to implement the expansion;
- (2) Lengthens the allowable period of court-ordered assisted community treatment for persons who are mentally ill or suffering from a substance abuse disorder, and for extensions of the court order;
- (3) Allows courts to require certain persons who violate probation to undergo a mental health evaluation and treatment as a condition of continued probation;
- (4) Requires the Department of Health to contract with behavioral health crisis centers; and
- (5) Appropriates moneys to restore funding for probation officer services for the mental health court.

Your Committee received written comments in support of this measure from the Judiciary, Hawaii Correctional System Oversight Commission, Department of Health Adult Mental Health Division, Honolulu Police Department, Hawaii Substance Abuse Coalition, and four individuals.

Your Committee received written comments on this measure from the Office of the Public Defender and Department of the Prosecuting Attorney for the City and County of Honolulu.

Your Committee finds that the criminal justice diversion program supported by this measure will help reduce overcrowding in the State's correctional centers while improving care for persons who are unsheltered, or have mental health challenges, substance use disorders, or both, and who may otherwise become involved in the State's criminal justice system.

As affirmed by the record of votes of the members 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. 1442, 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, 2 (Wakai, Fevella).

**SCRep. 1891 Ways and Means on H.B. No. 1508**

The purpose and intent of this measure is to provide funding for the improvement of Native Hawaiian communities and culture.

Specifically, this measure appropriates moneys to:

- (1) The Department of Business, Economic Development, and Tourism to improve Native Hawaiian communities and culture through various assistance services, including but not limited to services that offer Native Hawaiian historic preservation, business training, entrepreneurship, and mentoring; and
- (2) The Department of Land and Natural Resources for repatriation and reburials of Native Hawaiians nationally and internationally.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Council for Native Hawaiian Advancement; Kapolei Chamber of Commerce; and three 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 Land and Natural Resources and Office of Hawaiian Affairs.

Your Committee finds that funding a virtual marketplace to assist local artisans and businesses to adapt to e-commerce and an innovation center that provides workshops, counseling, loan assistance, and broadband access would help to develop and grow businesses in Hawaii. Your Committee also finds that it is appropriate for the State to support repatriation efforts to return iwi kupuna and related funerary articles to Hawaii.

As affirmed by the record of votes of the members 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. 1508, 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, 2 (Wakai, Fevella).

**SCRep. 1892 Public Safety and Intergovernmental and Military Affairs on Gov. Msg. No. 517**

Recommending that the Senate advise and consent to the nomination of the following:

DIRECTOR, DEPARTMENT OF PUBLIC SAFETY

G.M. No. 517 TOMMY JOHNSON, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Tommy Johnson for service as the Director of Public Safety.

Your Committee received testimony in support of the nomination for the appointment of Tommy Johnson from the Governor; Department of Transportation; Department of Law Enforcement; Department of Taxation; Department of Labor and Industrial Relations; Department of Land and Natural Resources; Department of Human Resources Development; Department of Budget and Finance; Department of Public Safety; Department of Health; Department of Hawaiian Home Lands; Department of Agriculture; Office of Enterprise Technology Services; Hawaii Public Housing Authority; Hawaii Paroling Authority; Crime Victim Compensation Commission; Office of the Public Defender; Department of the Prosecuting Attorney of the City and County of Honolulu; Ho'omana Pono, LLC; Hina Mauka; and twenty-three individuals. Your Committee received testimony in opposition to the nomination for the appointment of Tommy Johnson from United Public Workers, AFSCME Local 646, AFL-CIO; Hawai'i State AFL-CIO; and five individuals. Your Committee received comments on the nomination for the appointment of Tommy Johnson from the Women's Prison Project and American Civil Liberties Union of Hawai'i.

Upon review of the testimony, your Committee finds that Mr. Johnson's experience, background, and knowledge of Hawai'i's correctional system qualify him for appointment as the Director of Public Safety. Mr. Johnson has worked in corrections for over twenty years and currently serves as the acting Director of Public Safety, where he is responsible for the formulation and implementation of state policies and objectives for correctional and law enforcement activities and oversees more than three thousand employees. Mr. Johnson previously served as the Deputy Director for Corrections, where he worked on the development of prison programs centered on education and rehabilitation and managed the Corrections Division of the Department of Public Safety consisting of six divisions and offices encompassing most of the Department's personnel and budget, including over two thousand three hundred staff and an annual budget of more than \$220,000,000.

Your Committee notes that, in addition to his decades of public service in the Hawaii corrections system, Mr. Johnson also served in the United States Army for more than fifteen years, where he received the Bronze Star Medal for outstanding service and leadership during the Persian Gulf War and two Meritorious Service Medals, among other commendations. Mr. Johnson also has a Bachelor of Science degree in Business Management and Administration from the Army Educational Service Center at the United States Military Academy West Point and Mount Saint Mary College in New York.

Your Committee finds that Mr. Johnson has served in the state corrections system at every level. Starting as a Youth Corrections Officer at the Hawaii Youth Correctional Facility, Mr. Johnson worked his way up to eventually serve as the Administrator of the Hawaii Paroling Authority, a position he served in for nearly sixteen years. Your Committee believes that Mr. Johnson's career path has given him key insight and knowledge to support the rehabilitation of inmates and their reintegration into the community after release, and that this knowledge will be essential to transition the Department of Public Safety to the Department of Corrections and Rehabilitation and to reshape the State's corrections system as a whole according to a therapeutic and rehabilitative model. Your Committee finds that Mr. Johnson brings to the Department of Public Safety extensive expertise in corrections, rehabilitation, and public safety, and will be an asset to the Department at this critically important time. Your Committee therefore recommends that Tommy Johnson be appointed as the Director of Public Safety 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 and 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; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Awa).

**SCRep. 1893 Hawaiian Affairs on Gov. Msg. No. 526**

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY TO THE CHAIRPERSON, DEPARTMENT OF HAWAIIAN HOME LANDS

G.M. No. 526 KATIE DUCATT, for a term to expire 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Katie Ducatt for service as the Deputy to the Chairperson of the Department of Hawaiian Home Lands.

Your Committee received testimony in support of the nomination for the appointment of Ms. Ducatt from the Governor, Department of Hawaiian Home Lands, Department of Transportation, Department of Public Safety, Department of Labor and Industrial Relations, Department of Land and Natural Resources, Department of Budget and Finance, Department of Taxation, Department of Human Services, Department of Health, Department of Agriculture, Hawaii Public Housing Authority, Office of Enterprise Technology Services, one former Chairperson of the Department of Hawaiian Home Lands, two Commissioners of the Hawaiian Homes Commission, one former Attorney General, Pacific Resource Partnership, Hui Kako'o 'Āina Ho'opulapula, and thirty-four individuals. Your Committee received testimony in opposition to the nomination for the appointment of Ms. Ducatt from four individuals.

Upon review of the testimony, your Committee finds that Ms. Ducatt's background, experience, and dedication to community service qualify her to be appointed as Deputy to the Chairperson of the Department of Hawaiian Home Lands. Ms. Ducatt has served as the interim Deputy since January 2023, where, despite the great attention surrounding the Department over the past ninety days, she has quietly and efficiently assisted in helping the Department to continue providing homestead and housing opportunities to native Hawaiian beneficiaries. Previously, and especially relevant, Ms. Ducatt served for eight years as a Deputy Attorney General assigned to the Department of Hawaiian Home Lands, where she gained substantial working knowledge of the Hawaiian Homes Commission Act of 1920, as amended, and obtained direct experience in real property, litigation, and other legal issues pertinent to the Department. During this time, Ms. Ducatt also gained a deep understanding of the political and practical challenges facing the Department, as well as the many important issues impacting native Hawaiian homesteaders.



Previously, Ms. Ducatt worked at a variety of boutique law firms, where she specialized in civil litigation relating to real property matters. Your Committee believes that Ms. Ducatt's subject matter expertise in this area will serve her well given how fundamental real property issues are to the Department's mission. Ms. Ducatt also served as a Deputy Public Defender for the Office of the Public Defender and served as a law clerk to then Circuit Judge of the Court of the First Circuit, Richard Pollack, who would later become an Associate Justice of the Hawaii Supreme Court. Ms. Ducatt earned a Juris Doctorate from the William S. Richardson School of Law and a Bachelors degree in Business Administration from the University of Hawai'i at Manoa.

Your Committee notes that, during the hearing, Ms. Ducatt took the time to recognize and directly address the testimony in opposition to her nomination, displaying a strong willingness to listen to the concerns of all beneficiaries. Your Committee finds that Ms. Ducatt, with her extensive legal background, deep understanding of real property law and native Hawaiian issues, and core institutional knowledge gained through eight years of dedicated service, possesses the requisite qualifications to serve as the Deputy to the Chairperson of the Department of Hawaiian Home Lands. Your Committee believes that Ms. Ducatt's legal expertise and knowledge of the Department is a tremendous asset that will help Ms. Ducatt carry out her expressed intent to implement formal training, internal policies, and workflows to minimize gaps in current processes to ultimately help reduce the number of beneficiaries on the waiting list. Your Committee believes that Ms. Ducatt, with her reputation as a trustworthy, highly-organized, and detail-oriented public servant, will greatly compliment Chairperson Watson as he seeks to take immediate action on the twenty projects identified in the strategic plan approved by the Hawaiian Home Lands Commission. Therefore, your Committee recommends that Katie Ducatt be appointed as the Deputy to the Chairperson of the Department of Hawaiian Home Lands based on her knowledge, experience, and commitment to public service.

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 (Richards).

#### **SCRep. 1894 Water and Land on Gov. Msg. Nos. 563 and 564**

Recommending that the Senate advise and consent to the nominations of the following:

##### HAWAII HISTORIC PLACES REVIEW BOARD

G.M. No. 563 RALPH KAM, for a term to expire 06-30-2026; and

G.M. No. 564 GRAHAM HART, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Ralph Kam and Graham Hart for service on the Hawaii Historic Places Review Board.

##### RALPH KAM

Your Committee received testimony in support of the nomination for the appointment of Ralph Kam from the Department of Land and Natural Resources and Historic Hawai'i Foundation. Your Committee received testimony in opposition to the nomination for the appointment of Ralph Kam from one individual.

Upon review of the testimony, your Committee finds that Dr. Kam's background, experience, and dedication to community service qualify him to be appointed to the Hawaii Historic Places Review Board as a professionally qualified member. Dr. Kam, a lifelong educator, currently works as an instructor at Hawaii Tokai International College, where he lectures on various courses covering American, East Asian, and world history. From 1997-2005, and again from 2018-2022, Dr. Kam lectured at the University of Hawai'i at Manoa, where he taught graduate and undergraduate courses focused on historic preservation in Hawaii and held field seminars covering the historic buildings of the Kingdom of Hawaii. Dr. Kam also recently served as the Interim Director for the Historic Preservation Graduate Certificate Program at the University of Hawai'i at Manoa. The program, in partnership with the Historic Hawai'i Foundation, has organized an annual preservation lecture series for thirty-six years, and Dr. Kam has curated the series since 2019 and been a featured lecturer. Further, Dr. Kam has published numerous works on Native Hawaiian history and actively presents at conferences on related subjects.

Your Committee finds that Dr. Kam, with his extensive background in historical preservation and Native Hawaiian history, possesses the qualifications to serve on the Hawaii Historic Places Review Board. Dr. Kam is a well-respected historian, researcher, author, and instructor and his working knowledge as a historian will be a complement to the Board. Your Committee finds that Dr. Kam has a thorough understanding of the role and responsibilities of board members and therefore recommends that Ralph Kam be appointed to the Hawaii Historic Places Review Board based on his knowledge, experience, and commitment to public service.

##### GRAHAM HART

Your Committee received testimony in support of the nomination for the appointment of Graham Hart from the Department of Land and Natural Resources. Your Committee received testimony in opposition to the nomination for the appointment of Graham Hart from one individual.

Upon review of the testimony, your Committee finds that Mr. Hart's background, experience, and dedication to community service qualify him to be appointed to the Hawaii Historic Places Review Board as a professionally qualified member. Mr. Hart is a licensed architect and currently works at Kokomo Studio LLC as a founding partner, where he specializes in residential architecture, furniture design, and commercial interiors for tropical climates. Mr. Hart also serves as a lecturer at the University of Hawai'i at Manoa School of Architecture. Prior to that, Mr. Hart gained experience through nearly two decades of work at prominent local architecture firms. Mr. Hart is actively involved in community organizations and is the current president of the DOCOMOMO (International Committee for Documentation and Conservation of Buildings, Sites, and Neighborhoods of the Modern Movement) U.S. Hawaii Chapter. Mr.

Hart has received multiple design awards for his work and has published and presented on a wide range of topics, including modern luxury, Japanese post-war architecture, and the Snyder Residence on Oahu.

Your Committee finds that Mr. Hart, with his extensive architectural background, possesses the qualifications to serve on the Hawaii Historic Places Review Board. Mr. Hart's professional practice, publications, and academic contributions illustrate his expertise in the field and make him well-suited to support the Board as it contemplates how best to modernize historical buildings while preserving their original architectural designs. Your Committee finds that Mr. Hart has a thorough understanding of the role and responsibilities of board members and therefore recommends that Graham Hart be appointed to the Hawaii Historic Places Review 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 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, 5. Noes, none. Excused, none.

**SCRep. 1895 Water and Land on Gov. Msg. Nos. 535 and 536**

Recommending that the Senate advise and consent to the nominations of the following:

LAND USE COMMISSION

G.M. No. 535 BRIAN LEE, for a term to expire 06-30-2023; and

G.M. No. 536 BRIAN LEE, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Brian Lee for service on the Land Use Commission.

Your Committee received testimony in support of the nomination for the appointment and reappointment of Mr. Lee from the Land Use Commission; Department of Labor and Industrial Relations; Mayor of the County of Kaua'i; Office of the Mayor of the City and County of Honolulu; one member of the Honolulu City Council; one member of the Maui County Council; one former member of the Senate; Building Industry Association of Hawaii; Matson Navigation Company, Inc.; Subcontractors Association of Hawaii; University of Hawaii Professional Assembly; Pacific Resource Partnership; Avalon Group; General Contractors Association of Hawaii; Hawai'i State AFL-CIO; Operating Engineers Local Union No. 3; Plumbers and Fitters United Association Local Union 675; International Union of Painters and Allied Trades, District Council 50, Painters Local Union 1791; Hawaii Government Employee Association; and thirty-three individuals. Your Committee received testimony in opposition to the nomination for the appointment and reappointment of Mr. Lee from one individual.

Upon review of the testimony, your Committee finds that Mr. Lee's background, experience, and dedication to community service qualify him to be appointed and reappointed to the Land Use Commission. Mr. Lee currently serves as the Executive Director of the Hawaii Laborers and Employers Cooperation and Education Trust Fund, where he has worked to create jobs and economic opportunities for the approximately five thousand construction industry members of the Hawaii Laborers Union. Previously, Mr. Lee served as the Director of Research and Communications for the Hawaii International Brotherhood of Electrical Workers, where he similarly represented union members in the electrical contracting industry. Mr. Lee has also worked and advocated on behalf of the Hawaii Operating Engineers and Hawaii Construction Industry Association. Further, Mr. Lee has served on numerous boards and commissions, including the Honolulu Planning Commission, Hawaii Workforce Development Council, University of Hawai'i Labor Education Advisory Council, Hawaii Community Development Authority, and others.

Your Committee finds that Mr. Lee, with his diverse and extensive union and labor management background specific to the construction industry, possesses the qualifications to serve on the Land Use Commission. Your Committee believes that Mr. Lee's deep knowledge of the construction industry and its members provide him with a unique perspective that will enhance future discussions of the Commission. Your Committee further finds that testifiers in support, in addition to noting his impressive career, have praised Mr. Lee's leadership, his willingness to listen, and his thoughtful and collaborative approach to decision-making. Lastly, your Committee finds that Mr. Lee has a thorough understanding of the role and responsibilities of members and therefore recommends that Brian Lee be appointed and reappointed to the Land Use Commission based on his knowledge, experience, 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, 5. Noes, none. Excused, none.

**SCRep. 1896 Water and Land on Gov. Msg. No. 598**

Recommending that the Senate advise and consent to the nomination of the following:

LEGACY LAND CONSERVATION COMMISSION

G.M. No. 598 KIM FALINSKI, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Kim Falinski for service on the Legacy Land Conservation Commission.

Your Committee received testimony in support of the nomination for the appointment of Dr. Falinski from the Department of Land and Natural Resources, The Nature Conservancy, Maunaloa Fishpond Heritage Center, and eleven individuals. Your Committee received testimony in opposition to the nomination for the appointment of Dr. Falinski from one individual.

Upon review of the testimony, your Committee finds that Dr. Falinski's background, experience, and dedication to community service qualify her to be appointed to the Legacy Land Conservation Commission as a member possessing scientific qualifications as evidenced by an academic degree in wildlife or marine biology, botany, forestry, ecology, resource management, biogeography, zoology, or geology. Dr. Falinski holds a Doctor of Philosophy degree in tropical plant and soil science from the University of Hawaii at Manoa and currently serves as a Coastal and Estuarine Scientist for The Nature Conservancy, where she investigated submarine groundwater at Palmyra Atoll, collaborated with the federal government to understand the ecohydrological impacts of Heeia agriculture and wetland restoration, and worked with the Department of Health to develop quality assurance protocols and training materials to support statewide community-based water quality programs. Dr. Falinski also currently serves as an affiliate faculty member for the Water Resources Research Center at the University of Hawaii at Manoa, where she helped map and monitor coral reef ecosystems and urban stormwater in West Maui. In addition, Dr. Falinski has published numerous works covering topics such as coral reef conservation and watershed and coastal zone management, and secured over \$4,000,000 in grants and awards for various research studies and projects. Dr. Falinski is also involved in community boards and organizations, such as Hui o Ho'ohonua and the Society of Wetland Scientists. Dr. Falinski also served on the Storm Utility Advisory Council and the Clean Water Natural Lands Commission of the City and County of Honolulu.

Your Committee finds that Dr. Falinski, with an extensive science and engineering background focused on the connectivity between the land, sea, nature, and people, possesses the qualifications to serve on the Legacy Land Conservation Commission. Your Committee further finds that testifiers in support have noted that, as an interim appointee, Dr. Falinski was an active, enthusiastic, and knowledgeable participant in the Commission's review of applications for land acquisition grant awards and that her knowledge and experience has brought valuable insight to the Commission's work. Your Committee finds that Dr. Falinski has a thorough understanding of the role and responsibilities of the commissioners and therefore recommends that Kim Falinski be appointed to the Legacy Land Conservation Commission based on her knowledge, experience, 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, 5. Noes, none. Excused, none.

**SCRep. 1897 Water and Land on Gov. Msg. Nos. 580, 581, and 582**

Recommending that the Senate advise and consent to the nominations of the following:

KANE'OHE BAY REGIONAL COUNCIL

- G.M. No. 580 SYLVIA HUSSEY, for a term to expire 06-30-2023;
- G.M. No. 581 SYLVIA HUSSEY, for a term to expire 06-30-2027; and
- G.M. No. 582 JOSEPH PICKARD, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Sylvia Hussey and Joseph Pickard for service on the Kane'ohe Bay Regional Council.

SYLVIA HUSSEY

Your Committee received testimony in support of the nomination for the appointment and reappointment of Sylvia Hussey from the Department of Land and Natural Resources, Hawaii State Aha Moku, and Ko'olau Foundation. Your Committee received testimony in opposition to the nomination for the appointment and reappointment of Sylvia Hussey from one individual.

Upon review of the testimony, your Committee finds that Dr. Hussey's background, experience, and dedication to community service qualify her to be appointed to the Kane'ohe Bay Regional Council as a representative of the Office of Hawaiian Affairs. Dr. Hussey currently serves as the Chief Executive Officer of the Office of Hawaiian Affairs, where she leads, guides, and directs the organization to fulfill its mission, within the parameters established by the Board of Trustees, to improve the well-being of Native Hawaiians. As CEO, Dr. Hussey has developed many important relationships within the government and nonprofit and private sectors and has substantial experience with the laws, policies, and practices that impact Native Hawaiians. Previously, Dr. Hussey served as the Executive Director for the Native Hawaiian Education Council and was a longtime administrator for the Kamehameha Schools.

Your Committee finds that Dr. Hussey, with her extensive background in high-profile management and administrative positions dedicated to the betterment of Native Hawaiians, possesses the qualifications to serve on the Kane'ohe Bay Regional Council. Your Committee finds that Dr. Hussey is a pillar within the Native Hawaiian community and that her leadership and managerial experience will greatly enhance the Council's ability to not only protect the culturally sensitive Ahu O Laka sandbar, but execute the vision of the Kane'ohe Bay Master Plan. Your Committee notes Dr. Hussey's dedication and tireless commitment in volunteering for the Council, despite her many other responsibilities and obligations. Your Committee finds that Dr. Hussey has a thorough understanding of the role and responsibilities of Council members and therefore recommends that Sylvia Hussey be appointed and reappointed to the Kane'ohe Bay Regional Council based on her knowledge, experience, and commitment to public service.

JOSEPH PICKARD

Your Committee received testimony in support of the nomination for the appointment of Joseph Pickard from the Department of Land and Natural Resources; Hawaii State Aha Moku; Matson Navigation Company, Inc.; Ko'olaupoko Hawaiian Civic Club; Ko'olau

Foundation; and one individual. Your Committee received testimony in opposition to the nomination for the appointment of Joseph Pickard from one individual.

Upon review of the testimony, your Committee finds that Mr. Pickard's background, experience, and dedication to community service qualify him to be appointed to the Kane'ohe Bay Regional Council as a Kane'ohe Bay Commercial Operators Association representative of the Kane'ohe Bay Fishing Panel. Mr. Pickard is a longtime Native Hawaiian business and local community leader. Mr. Pickard is currently the founder and Chairman Emeritus of the Native Hawaiian Community Development Corporation, where he helps to provide science, technology, engineering, and math education and career opportunities for Native Hawaiians. In addition, Mr. Pickard owns and operates three businesses: Community Planning and Engineering, Inc., a civil engineering firm; Environet, Inc., an environmental engineering and remediation service company; and Sea Hawaii, Inc., an ocean recreation, transport, and apparel company that originated in Kane'ohe Bay. Before Mr. Pickard started his first business in 1989, he worked as an investment banker for Credit Suisse First Boston and was a commissioned officer in the United States Coast Guard. Especially relevant, Mr. Pickard was one of the founding members of the Kane'ohe Bay Regional Council and served as a member from 2008-2012. Mr. Pickard is also a former president of the Kane'ohe Bay Business Group.

Your Committee finds that Mr. Pickard, with his recognized passion and enthusiasm for the preservation of Kane'ohe Bay, possesses the qualifications to serve on the Kane'ohe Bay Regional Council. Mr. Pickard's prior experience as a former Council member and his over three decades of firsthand business experience operating within Kane'ohe Bay, provide him with certain unique insights and perspectives that will help enhance future Council discussions. Your Committee acknowledges Mr. Pickard's lifelong dedication to Kane'ohe Bay and lauds his desire to return to the Council. Your Committee finds that Mr. Pickard has a thorough understanding of the role and responsibilities of Council members and therefore recommends that Joseph Pickard be appointed to the Kane'ohe Bay Regional Council based on his knowledge, experience, 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, 5. Noes, none. Excused, none.

**SCRep. 1898 Hawaiian Affairs on Gov. Msg. Nos. 565, 566, and 599**

Recommending that the Senate advise and consent to the nominations of the following:

ISLAND BURIAL COUNCIL, ISLANDS OF MAUI AND LANA'I

G.M. No. 565 MICHELE HOOPII, for a term to expire 06-30-2025;

G.M. No. 566 SCOTT FISHER, for a term to expire 06-30-2026; and

G.M. No. 599 DIANE PREZA, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Michele Hoopii, Scott Fisher, and Diane Preza for service on the Island Burial Council for the islands of Maui and Lana'i.

MICHELE HOOPII

Your Committee received testimony in support of the nomination for the appointment of Michele Hoopii from the Department of Land and Natural Resources.

Upon review of the testimony, your Committee finds that Ms. Hoopii's background and experience qualify her to be appointed to the Island Burial Council for the islands of Maui and Lana'i as a member representing the geographic region of Wailuku. Ms. Hoopii lives within the moku of Wailuku, Maui, and has deep familial and historical ties to Waiehu and Kahakuloa in West Maui. Ms. Hoopii is currently employed as an Information Technology Desktop Specialist at Hawaiian Electric Company and, in her free time, she spends her evenings and weekends tending her family's lo'i kalo (taro patch) in Waiehu. Your Committee finds that Ms. Hoopii possesses a unique cultural perspective and knowledge of the island, which stems from her lived experience as a Native Hawaiian with strong intergenerational ties to West Maui, and that Ms. Hoopii will greatly enhance the work of the Council. Your Committee finds that Ms. Hoopii has a thorough understanding of the role and responsibilities of Council members and therefore recommends that Michele Hoopii be appointed to the Island Burial Council for the islands of Maui and Lana'i.

SCOTT FISHER

Your Committee received testimony in support of the nomination for the appointment of Scott Fisher from the Department of Land and Natural Resources, Hawai'i Land Trust, and one individual.

Upon review of the testimony, your Committee finds that Dr. Fisher's background, experience, and dedication to community service qualify him to be appointed to the Island Burial Council for the islands of Maui and Lana'i as a member representing a landowner/developer. Dr. Fisher was born and raised in Kula, Maui, and has dedicated his life to the protection and stewardship of natural and cultural resources on Maui. Dr. Fisher currently serves as the Director of 'Āina Stewardship for the Hawai'i Land Trust, where he leads all ecological restoration activities conducted by the Land Trust. Dr. Fisher's work also includes protecting iwi kupuna discovered on the Land Trust's preserves from coastal erosion and working with families to reinter exposed iwi kupuna. Previously, Dr. Fisher worked as a Project Manager for the Maui Coastal Land Trust, where he stewarded the two hundred seventy-seven acre Waihe'e Coastal Dunes and Wetlands Refuge. Especially relevant, Dr. Fisher has served on the Island Burial Council for the islands of Maui and Lana'i for thirteen years. Your Committee finds that Dr. Fisher's extensive conservation background, knowledge of the island, and demonstrated dedication to the mission of the Island Burial Council will enhance the work of the Council. Your Committee finds that Dr. Fisher has a thorough understanding of the role and responsibilities of Council members and therefore recommends that Scott Fisher be appointed to the Island Burial Council for the islands of Maui and Lana'i.

DIANE PREZA

Your Committee received testimony in support of the nomination for the appointment of Diane Preza from the Department of Land and Natural Resources.

Upon review of the testimony, your Committee finds that Ms. Preza's background, experience, and dedication to community service qualify her to be appointed to the Island Burial Council for the islands of Maui and Lana'i as a member representing the geographic region of Lana'i. Ms. Preza was born and raised on Lana'i and has deep familial and historical ties to the island by way of her Ka'ōpūiki family line. Ms. Preza is currently employed as the Director of Community Affairs for Pūlama Lana'i, a land and resource management company that works to promote preservation, cultural stewardship, and sustainability on Lana'i. In addition, Ms. Preza is actively involved in community organizations on the island, such as the Lana'i Culture and Heritage Center, Lana'i Community Benefit Fund, and Mānele-Hulopo'e Marine Life Conservation District Project. Ms. Preza attested that she recognizes the importance of respecting those ancestors that came before her and that honoring kupuna by properly caring for their remains is a privilege. Your Committee finds that Ms. Preza's deep lineal ties to Lana'i and her dedication to conservation and stewardship on the island will greatly enhance the work of the Council. Your Committee finds that Ms. Preza has a thorough understanding of the role and responsibilities of Council members and therefore recommends that Diane Preza be appointed to the Island Burial Council for the islands of Maui and Lana'i.

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, 3. Noes, none. Excused, 2 (Fevella, Richards).

**SCRep. 1899      Judiciary on Gov. Msg. No. 608**

Recommending that the Senate consent to the nomination of the following:

CIRCUIT COURT OF THE SECOND CIRCUIT, STATE OF HAWAII

G.M. No. 608    MICHELLE L. DREWYER, for a term to expire in 10 years

Your Committee reviewed the personal history, resume, and statement submitted by Judge Michelle L. Drewyer for service on the Circuit Court of the Second Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Judge Michelle L. Drewyer from the Governor and nineteen individuals. Your Committee received testimony in opposition to the appointment of Judge Michelle L. Drewyer from one individual. Your Committee received comments on the appointment of Judge Michelle L. Drewyer from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) uses a rating system that considers several criteria to assist the HSBA Board in making a recommendation to your Committee on whether the appointee is "qualified" or "not qualified". Specifically, the criteria the HSBA Board employs is the same criteria found in the American Bar Association's Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those guidelines include the following criteria, which are not exclusive: integrity, diligence, legal knowledge and ability, professional experience, 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. Upon review of the established criteria, the HSBA Board found the appointee to be qualified for the position of Circuit Court Judge of the Second Circuit.

Judge Drewyer received a Bachelor of Science degree in Business Administration from Western Michigan University. She then received her Juris Doctor from the Thomas M. Cooley Law School. Judge Drewyer has been licensed to practice law in the State of Hawaii since 1992.

Judge Drewyer has served as a per diem judge in the Second Circuit since 2005 in Family Court and 2017 in District Court, where she has handled a number of issues, including traffic cases; misdemeanor crimes; civil cases; and cases involving child custody, divorce, and child welfare. Her per diem work included presiding over cases in Maui, Lanai, and Molokai. Judge Drewyer also has her own private practice handling civil and criminal litigation, arbitrations, and mediations.

For over a decade, Judge Drewyer was a partner at Ranken & Drewyer, L.L.C., where she concentrated in criminal and civil litigation, and law firm management, including advertising and personnel supervision. She also was an arbitrator for the Court Annexed Arbitration Program. Prior to becoming a partner, Judge Drewyer was an associate with Ranken, Drewyer, & Ranken.

Before going into private practice, Judge Drewyer worked as a Deputy Public Defender for the State of Hawaii, where she gained circuit court experience involving arraignment and plea, bail hearings, pre-trial motions, jury trials, and sentencing and parole hearings. Judge Drewyer began her legal career in public service as a Deputy Prosecuting Attorney for the County of Maui, where she worked in the violent crime section and for a year, concentrated on child sex assault cases.

Judge Drewyer has been an active participant in the community and has demonstrated her commitment to serving the public. She is the President of the Na Hinano O Opana, a nonprofit corporation formed to protect agriculture lands, and is also a member of the Medical Reserve Corps. Previously, she served as the President of the nonprofit organization, "Friends of the Public Defender"; participated in Volunteer Legal Services; participated in mock trials to introduce school age children to all aspects of the criminal justice system and the Outward Bound Program to introduce troubled teens to possible career opportunities within the legal field; and volunteered with the Maui District Health Office to assist the community in getting vaccinated and other projects relating to the coronavirus disease 2019 pandemic.

Testimony submitted in support of Judge Drewyer's appointment commends her diligence, legal knowledge and experience, and commitment to fairness and justice. Testimony further indicates that during her time as a judge for the District Court of the Second Circuit, she has been even-handed, composed, firm, and calm to all parties in her courtroom. Numerous testifiers also praise her judicial temperament, as well as her strong work ethic.

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 qualifications, Judge Michelle L. Drewyer has the experience, compassion, and other competencies to be a Circuit Court Judge of the Second Circuit, and she has the legal expertise and integrity 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, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1900 Labor and Technology on Gov. Msg. Nos. 545, 546, 547, and 578**

Recommending that the Senate advise and consent to the nominations of the following:

ENHANCED 911 BOARD

- G.M. No. 545 GREGG OKAMOTO, for a term to expire 06-30-2024;
- G.M. No. 546 KEOLA TOM, for a term to expire 06-30-2023;
- G.M. No. 547 ELIZABETH GREGG, for a term to expire 06-30-2024; and
- G.M. No. 578 REED MAHUNA, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Gregg Okamoto, Keola Tom, Elizabeth Gregg, and Reed Mahuna for service on the Enhanced 911 Board.

GREGG OKAMOTO

Your Committee received testimony in support of the nomination for the appointment of Gregg Okamoto from the Hawaii High Density Drug Trafficking Area and one individual. Your Committee received testimony in opposition to the nomination for the appointment of Gregg Okamoto from one individual.

Upon review of the testimony, your Committee finds that Mr. Okamoto's professional background and dedication to serving the community qualify him for consideration for appointment to the Enhanced 911 Board as a representative from the public safety answering point for Maui pursuant to section 138-2(a)(3), Hawaii Revised Statutes. Your Committee notes that Mr. Okamoto has been with the Maui Police Department for over twenty-five years and was promoted to Police Inspector and the Assistant Chief of Police for the Support Services Bureau in March 2022. Your Committee further notes that Mr. Okamoto started his career with the Maui Police Department as an officer in the Communications Section and has thorough knowledge of the Maui Police Department 911 operations. During the hearing, he confirmed that he has served on a number of governmental boards and organizations, including but not limited to the Board of Directors of the Friends of the Children's Justice Center of Maui and Hawaii Sexual Assault Response and Training Program Multi-Disciplinary Team. Your Committee further finds that Mr. Okamoto has a thorough understanding of the role and responsibilities of board members and his background and knowledge will enhance the effectiveness of the Enhanced 911 Board. Your Committee therefore recommends that Gregg Okamoto be appointed to the Enhanced 911 Board based on his background, knowledge, and desire to contribute to the community.

KEOLA TOM

Your Committee received testimony in support of the nomination for the appointment of Keola Tom from the Hawaii High Density Drug Trafficking Area and two individuals.

Upon review of the testimony, your Committee finds that Mr. Tom's professional background and desire to serve the community qualify him for consideration for appointment to the Enhanced 911 Board as a representative from the public safety answering point for Molokai pursuant to section 138-2(a)(3), Hawaii Revised Statutes. Your Committee notes that Mr. Tom has been with the Maui Police Department for over twenty years and is currently a Police Captain in the Quality Assurance Division and the Assistant Chief of the Uniform Services Bureau. During the hearing, he noted his responsibility in developing budgets, knowledge of the procurement process, and experience in amending policies. Your Committee further finds that Mr. Tom understands the role and responsibilities of board members and his background and knowledge will enhance the effectiveness of the Enhanced 911 Board. Your Committee therefore recommends that Keola Tom be appointed to the Enhanced 911 Board based on his background, knowledge, and desire to contribute to the community.

ELIZABETH GREGG

Your Committee received testimony in support of the nomination for the appointment of Elizabeth Gregg from two individuals.

Upon review of the testimony, your Committee finds that Ms. Gregg's professional background and desire to serve the public qualify her for consideration for appointment to the Enhanced 911 Board as a representative from a wireless communications service provider pursuant to section 138-2(a)(2), Hawaii Revised Statutes. Your Committee notes that Ms. Gregg has been with AT&T Wireless for over twenty-two years and is currently a FirstNet Principal Consultant with the company. Prior to that, she was a Market General Manager of the Hawaii 3 territory with US Cellular, a national mobile network operator. Ms. Gregg has been managing high level relationships at the state and local government levels in Hawaii since 1991. Your Committee further notes Ms. Gregg is also an

active volunteer in the community and is currently a board member of The Daniel R. Sayre Memorial Foundation, which raises funds to support the first responders of Hawaii Island. Your Committee further finds that Ms. Gregg understands the role and responsibilities of board members and her background and knowledge, especially in network security, will enhance the effectiveness of the Enhanced 911 Board. Your Committee therefore recommends that Elizabeth Gregg be appointed to the Enhanced 911 Board based on her background, knowledge, and desire to contribute to the community.

#### REED MAHUNA

Your Committee received testimony in support of the nomination for the appointment of Reed Mahuna from the Office of the Mayor of the County of Hawaii, Hawaii Police Department, Hawaii High Density Drug Trafficking Area, and twelve individuals.

Upon review of the testimony, your Committee finds that Mr. Mahuna's professional background and desire to serve the community qualify him for consideration for appointment to the Enhanced 911 Board as a representative from the public safety answering point for Hawaii Island pursuant to section 138-2(a)(3), Hawaii Revised Statutes. Your Committee notes that Mr. Mahuna has been with the Hawaii Police Department for over twenty-five years and is currently a Police Major of the Technical Services Division within its Administrative Services Bureau. Testifiers in support of his nomination universally speak highly of his professionalism, integrity, and leadership skills. During the hearing, he vowed to work tirelessly and contribute his practical knowledge and experience as a first responder toward fulfilling the mission of the Enhanced 911 Board to keep the communities of the State safe. Your Committee further finds that Mr. Mahuna has a thorough understanding of the role and responsibilities of board members and his background and knowledge will enhance the effectiveness of the Enhanced 911 Board. Your Committee therefore recommends that Reed Mahuna be appointed to the Enhanced 911 Board based on his background, knowledge, and desire to contribute to the community.

As affirmed by the records of votes of the members of your Committee on Labor and Technology 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 (Keith-Agaran, Fevella).

#### **SCRep. 1901 Public Safety and Intergovernmental and Military Affairs on Gov. Msg. No. 551**

Recommending that the Senate advise and consent to the nomination of the following:

#### HAWAII ADVISORY COUNCIL ON EMERGENCY MANAGEMENT

G.M. No. 551 WILLIAM BERGIN, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by William Bergin for service on the Hawaii Advisory Council on Emergency Management.

Your Committee received testimony in opposition to the nomination for the appointment of William Bergin from one individual.

Upon review of the testimony, your Committee finds that Mr. Bergin's background in public service and extensive experience qualify him to be nominated for appointment to the Hawaii Advisory Council on Emergency Management. Your Committee notes that Mr. Bergin is an active member of the veterinary and agricultural communities in the State and currently serves as an honorary member of the American Veterinary Medical Association, American Association of Equine Practitioners, and Hawaii Veterinary Medical Association. During his fifty-year career, Mr. Bergin also established three veterinary practices, including the West Hawaii Animal Clinic; Veterinary Associates, Inc.; and Aina Hou Animal Hospital. Your Committee further finds that Mr. Bergin currently sits on the Mauna Kea Management Board in an advisory capacity and previously served as a West Hawaii representative on the University of Hawaii Board of Regents. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment. Your Committee believes that Mr. Bergin's dedication to public and community service and extensive experience with animals will allow him to provide critical insight to the Hawaii Advisory Council on Emergency Management on the impact that certain emergency situations will have on animals and agriculture in the State and therefore recommends that William Bergin be appointed to the Hawaii Advisory Council on Emergency Management.

As affirmed by the record of votes of the members of your Committee on Public Safety and 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; Ayes with Reservations (Elefante). Noes, none. Excused, 1 (McKelvey).

#### **SCRep. 1902 Labor and Technology on Gov. Msg. Nos. 596 and 597**

Recommending that the Senate advise and consent to the nominations of the following:

#### HOISTING MACHINE OPERATORS ADVISORY BOARD

G.M. No. 596 JOHN MIHLBAUER, JR., for a term to expire 06-30-2026; and

G.M. No. 597 JACOB RYAN PRICE, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by John Muhlbauer, Jr. and Jacob Ryan Price for service on the Hoisting Machine Operators Advisory Board.

JOHN MIHLBAUER, JR.

Your Committee received testimony in support of the nomination for the reappointment of John Mihlbauer, Jr. from the Department of Labor and Industrial Relations.

Upon review of the testimony, your Committee finds that Mr. Mihlbauer's background and dedication to public service qualify him to be reappointed to the Hoisting Machine Operators Advisory Board. Your Committee notes that Mr. Mihlbauer is the President of All Ship and Cargo Surveys, Ltd., a marine survey business that conducts crane inspections. He has been licensed as a mechanical engineer in Hawaii since 2014 and has over thirty-four years of experience in engineering. Your Committee further notes that Mr. Mihlbauer currently serves as a member of ASME B30 Standards Committee on Safety Standards for Cableways, Cranes, Derricks, Hoists, Hooks, Jacks, and Slings and is also the Chairperson of the subcommittee of ASME 30.24, regarding container cranes, and ASME B30.8, regarding floating cranes and derricks. During the hearing, Mr. Mihlbauer expressed an interest to see that all crane operators be certified in the State, as currently only licensure is required for operators of mobile cranes in construction. Your Committee further finds that Mr. Mihlbauer has previously served as the Chairperson of the Hoisting Machine Operators Advisory Board, and has been a member of the Board since July 2016. His experience and knowledge will continue to be assets to the Hoisting Machine Operators Advisory Board. Your Committee therefore recommends that John Mihlbauer, Jr. be reappointed to the Hoisting Machine Operators Advisory Board based on his experience, knowledge, and commitment to public service.

JACOB RYAN PRICE

Your Committee received testimony in support of the nomination for the appointment of Jacob Ryan Price from the Department of Labor and Industrial Relations.

Upon review of the testimony, your Committee finds that Mr. Price's background and willingness to serve the public qualify him to be appointed to the Hoisting Machine Operators Advisory Board. Your Committee notes that Mr. Price currently works as a health, safety, and environmental engineer supervisor for Nordic PCL Construction, Inc. and holds a degree in occupational safety and health from Columbia Southern University. Your Committee further notes that Mr. Price is certified as a Graduate Safety Practitioner, Construction Health and Safety Technician, and Safety Trained Supervisor Construction by the Board of Certified Safety Professionals. During the hearing, he expressed his passion for public safety through the standardization of safety protocols for hoisting machine operators statewide. Your Committee finds that Mr. Price has a thorough understanding of the role and responsibilities of board members and his experience and passion in occupational health and safety will enhance the effectiveness of the Hoisting Machine Operators Advisory Board. Your Committee therefore recommends that Jacob Ryan Price be appointed to the Hoisting Machine Operators Advisory Board based on his knowledge, background, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Labor and Technology 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 (Keith-Agaran, Fevella).

**SCRep. 1903 Public Safety and Intergovernmental and Military Affairs on H.C.R. No. 21**

The purpose and intent of this measure is to urge the City and County of Honolulu to remove the Ocean Safety and Lifeguard Services Division from the Emergency Services Department and establish it as a new, separate department.

Your Committee received testimony in support of this measure from the Emergency Services Department of the City and County of Honolulu, Outrigger Duke Kahanamoku Foundation, and twenty-four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the Honolulu Emergency Services Department currently consists of the Honolulu Emergency Medical Services Division, Honolulu Ocean Safety and Lifeguard Services Division, Health Services Branch, and Community Outreach Response and Engagement Branch. Your Committee further finds that the Ocean Safety and Lifeguard Services Division employs two hundred thirty-five full-time lifeguards and thirty-seven contract lifeguards with an annual operating budget of \$19,800,000 and is the primary responder for emergencies arising on the beach and in nearshore waters of the two hundred twenty-seven miles of coastline on the island of Oahu. Your Committee believes that these responsibilities and scope of duties warrant the Ocean Safety and Lifeguard Services Division becoming a separate department within the City and County of Honolulu. This measure will help paramedics and lifeguards to advocate for what they truly need and improve public oversight of first responder budgets and processes.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 21, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1904 (Joint) Higher Education and Agriculture and Environment on H.C.R. No. 102**

The purpose and intent of this measure is to request the University of Hawaii Water Resources Research Center to conduct a feasibility study on new technologies related to cesspool water remediation, which may include organic biodegradable water clarifiers.

Your Committees received testimony in support of this measure from the Department of Health; PJY Global Consultants, LLC; Hawai'i Reef and Ocean Coalition; and two individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that approximately eighty-two thousand cesspools in the State must be converted to an approved wastewater system or connected to a sewage system by 2050, pursuant to Act 125, Session Laws of Hawaii 2017. New, innovative wastewater



management technologies that are capable of providing solutions for entire communities for a fraction of the cost of existing technology hold the potential to quickly and effectively convert thousands of cesspools across the State. To determine the suitability of these technologies, such as organic biodegradable water clarifiers, to Hawaii's cesspool conversion efforts, a feasibility study of new cesspool water remediation technologies is necessary.

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. 102, H.D. 1, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (DeCoite).

**SCRep. 1905 (Joint) Water and Land and Agriculture and Environment on H.C.R. No. 50**

The purpose and intent of this measure is to request the Department of Land and Natural Resources to investigate the causes of and provide updated facts and statistics relating to the continued and unabated decline of the endangered Palila bird population on Mauna Kea, Hawaii island.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Hawai'i Forest Industry Association, Albatross News, Animal Rights Hawai'i, Game Management Advisory Commission of the County of Hawai'i, and eight individuals.

Your Committees find that the Palila bird, also known as the finch-billed Hawaiian honeycreeper, is a rare and critically endangered species that can only be found on certain slopes of Mauna Kea. Your Committees further find that despite the spending of millions of dollars to construct fences and eradicate sheep and goats in an effort to help save and protect the Palila bird, the Palila population has nevertheless continued to decline and has fallen below seven hundred as of 2021. Your Committees find that a study and investigation is necessary to determine why current efforts have not resulted in the recovery of the Palila bird so that new strategies can be developed to help preserve this endemic species that is unique to Hawaii. Therefore, this measure requests the Department of Land and Natural Resources to further investigate and identify the factors causing the decline of the Palila population.

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 concur with the intent and purpose of H.C.R. No. 50, and recommend its adoption.

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 (DeCoite).

**SCRep. 1906 (Joint) Hawaiian Affairs and Water and Land on H.C.R. No. 73**

The purpose and intent of this measure is to request the formation of a working group to create a plan regarding the return of cultural artifacts.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs and two individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committees find that many of Hawaii's cultural artifacts have been transported out of the State and that, conversely, many persons within the State possess cultural artifacts that belong to other lands or indigenous groups. Your Committees find that it is necessary and proper to finally facilitate the return of these cultural artifacts to whom they rightfully belong. Therefore, this measure requests the Office of Hawaiian Affairs and the State Historic Preservation Division to work together and establish a Cultural Artifact Return Working Group to request for the return of Hawaiian cultural artifacts and to arrange for the return of cultural artifacts held within the State that belong to others.

Your Committees have heard the testimony of the Department of Land and Natural Resources, expressing their concern that while the Department fully supports the purpose and intent of this measure, the Department lacks the necessary resources to properly take part in the requested working group.

Therefore, your Committees have amended this measure by replacing the State Historic Preservation Division with the Council for Native Hawaiian Advancement to serve as Co-Chair of the requested Cultural Artifact Return Working Group.

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 H.C.R. No. 73, H.D. 1, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 73, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Chang).

**SCRep. 1907 Public Safety and Intergovernmental and Military Affairs on S.R. No. 113**

The purpose and intent of this measure is to urge the Mayor of the City and County of Honolulu, Honolulu City Council, and Honolulu Authority for Rapid Transportation to find a means to fund the construction of a park-and-ride garage at Waiawa Station of the Honolulu Rail Transit Project and urge the Department of Transportation Services of the City and County of Honolulu to establish additional transit services between central Oahu and Waiawa Station.

Your Committee received testimony in support of this measure from one member of the Pearl City Neighborhood Board and five individuals.

Your Committee finds that the original plan for the Honolulu Rail Transit Project called for twenty miles of rail, resulting in twenty-one stations and twenty four-car trains traveling from East Kapolei through downtown Honolulu and Ala Moana Center. However, a significant shortfall between projected revenues and construction expenses for the original plan necessitated the submission of a financial recovery plan from the City and County of Honolulu to the Federal Transit Administration for approval and receipt of federal grant funds necessary to complete the project. The financial recovery plan reduced the length of the project, reduced the number of stations, and deferred the construction of a park-and-ride garage at Waiawa Station in Pearl Highlands that was estimated to accommodate one thousand six hundred vehicles. Your Committee believes that the lack of this park-and-ride garage at Waiawa Station will greatly limit the utility of the rail transit line for Central Oahu residents. This measure will help to increase usage of the rail and reduce traffic congestion and the commute time for many residents 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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 113, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 113, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (McKelvey).

**SCRep. 1908 Public Safety and Intergovernmental and Military Affairs on Gov. Msg. No. 567**

Recommending that the Senate advise and consent to the nomination of the following:

CORRECTIONAL INDUSTRIES ADVISORY COMMITTEE

G.M. No. 567 FIDEL EVIOTA II, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Fidel Eviota II for service on the Correctional Industries Advisory Committee.

Your Committee received testimony in support of the nomination for the appointment of Fidel Eviota II from the Department of Public Safety. Your Committee received testimony in opposition to the nomination for the appointment of Fidel Eviota II from one individual.

Upon review of the testimony, your Committee finds that Mr. Eviota's experience, background, and knowledge in various fields qualify him for appointment to the Correctional Industries Advisory Committee. Your Committee notes that Mr. Eviota has a Bachelor of Science in Computer Programming from Hawaii Pacific University and Bachelor of Science in Civil Engineering from the University of Mindanao. Mr. Eviota currently works for Nan, Inc., where he has worked as a quality assurance manager since 2014 and on various projects, including the Hawaii State Veterans Home in Kapolei and Kamehameha Highway Station Group for the Honolulu Authority Rapid Transportation. Mr. Eviota previously worked for the Inspection Branch of the Department of Accounting and General Services' Public Works Division, where he was the head of Inspection Section B, and was also a project engineer for the Public Works Division of the City and County of Honolulu. Your Committee notes that the function of the Correctional Industries Advisory Committee is to advise and guide the Hawaii Correctional Industries Administrator in moving forward with sound and profitable business ventures specifically designed to provide meaningful work experience to inmates so they may successfully transition back into the community. Your Committee believes that Mr. Eviota's considerable work experience over several decades in various fields makes him an ideal person to advise the Hawaii Correctional Industries Administrator and therefore recommends that Fidel Eviota II be appointed to the Correctional Industries Advisory Committee.

As affirmed by the record of votes of the members of your Committee on Public Safety and 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; Ayes with Reservations (Elefante). Noes, none. Excused, 1 (McKelvey).

**SCRep. 1909 Education on Gov. Msg. No. 552**

Recommending that the Senate advise and consent to the nomination of the following:

SCHOOL FACILITIES AUTHORITY

G.M. No. 552 LINDSAY BALL, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Lindsay Ball for service on the School Facilities Authority.

Your Committee received testimony in support of the nomination for the appointment of Lindsay Ball from the Department of Education and three individuals.

Upon review of the testimony, your Committee finds that Mr. Ball's experience and knowledge qualify him for appointment to the School Facilities Authority. Mr. Ball has over forty years of experience as an educator and recently retired from the Department of Education after serving in Maui county since 1991. While with the Department of Education, Mr. Ball served as a business teacher, vice-principal, principal, and most recently, the Complex Area Superintendent for the Hana-Lahainaluna-Lanai-Molokai Complex Area. As Complex Area Superintendent, Mr. Ball managed eleven schools serving over five thousand students, seven hundred fifty employees, and a budget of \$4 million. Through Mr. Ball's leadership in the "Canoe Complex Area", he was instrumental in achieving academic achievement gains through targeted student support and professional development opportunities for teachers in his complex

area. Additionally, Mr. Ball also established the Hookele Leadership Program with community partnerships to promote relationships built on trust and open communication; a sense of place and knowing the community; and personal growth, accountability, and self-awareness. Your Committee also finds that Mr. Ball is an active member of his community and served on the Board of Directors for the Maui Sports Foundation, co-founded Maui Style Wrestling Club, and served as tournament director and volunteer for numerous high school and community sports tournaments. Your Committee further notes that Mr. Ball has served as an interim member of the School Facilities Authority since 2022 and has a thorough understanding of the roles and responsibilities of board members. Your Committee believes Mr. Ball's extensive experience as an educator and as a leader in educational administration will continue to provide a unique perspective to the School Facilities Authority. Your Committee therefore recommends that Lindsay Ball be appointed to the School Facilities 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 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 (Fevella).

**SCRep. 1910 Education on H.C.R. No. 59**

The purpose and intent of this measure is to urge the Department of Education to prioritize funding for the English Learner Program in public schools to address the increasing population of English learner students.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that the Department of Education's English Learner Program ensures that students with limited English proficiency have access to educational opportunities while also developing high levels of academic attainment in English through rigorous academic coursework. Mandated by Title VI of the Civil Rights Act of 1964, the English Learner Program provides equity for students to participate in all school activities. While forty-one percent of students in the State were on track to gaining language proficiency through the English Learner Program in 2018, the English proficiency level dropped to twenty-eight percent in 2021 and 2022. Because it is estimated that by 2025, one in four students in public education will be an English learner, this measure urges equitable access to education to provide all students, regardless of English language proficiency, with academic and social opportunities to grow and develop.

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. 59, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1911 Water and Land on S.R. No. 157**

The purpose and intent of this measure is to request that the Department of Land and Natural Resources adopt administrative rules regulating vessel speed near humpback whales.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and Hawai'i Reef and Ocean Coalition. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Ocean Tourism Coalition, Hono Heke Corporation, and one individual. Your Committee received comments on this measure from the Matson Navigation Company, Inc. and Hawai'i Harbors Users Group.

Your Committee finds that the humpback whale is not only an endangered species but the official marine mammal of the State. However, as humpback whale populations have slowly recovered, their increasing numbers have led to more frequent collisions with vessels. In 2022, representatives from the Pacific Whale Foundation, National Oceanic and Atmospheric Administration, State of Hawaii, tour operators, private boaters, fishers, and other community members, collaborated to develop a set of voluntary recommendations intended to keep both whales and whale watchers safe. This measure requests the Department of Land and Natural Resources to adopt those voluntary recommendations as administrative rules, to reaffirm the State's commitment to protecting and preserving the humpback whale.

Your Committee has amended this measure by:

- (1) Inserting language clarifying that the Department of Land and Natural Resources is requested to adopt rules regulating vessel speed near humpback whales for vessels other than an inter-island vessel or an intra-island vessel, as defined in section 19-41-2, Hawaii Administrative Rules; and
- (2) Requesting the Department of Land and Natural Resources to:
  - (A) Prohibit persons from operating certain vessels within the waters of the State at a speed exceeding fifteen knots when the vessel is within one thousand yards of a humpback whale; and
  - (B) Require any person operating certain vessels within the waters of the State to ensure that another person on the vessel is acting as a lookout to prevent collisions with humpback whales when the vessel is within one thousand yards of a humpback whale.

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. 157, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 157, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Chang, Fevella).

**SCRep. 1912 (Joint) Public Safety and Intergovernmental and Military Affairs and Judiciary on H.C.R. No. 23**

The purpose and intent of this measure is to request the Hawaii Correctional System Oversight Commission to convene a task force to examine and make recommendations regarding existing procedures of the Hawaii Paroling Authority setting the minimum terms of imprisonment.

Your Committees received testimony in support of this measure from the Judiciary, Hawaii Correctional System Oversight Commission, Office of the Public Defender, Hawaii Paroling Authority, Crime Victim Compensation Commission, Community Alliance on Prisons, American Civil Liberties Union of Hawai'i, Hawai'i Innocence Project, and Hawai'i State Coalition Against Domestic Violence. Your Committees received comments on this measure from the Legislative Reference Bureau, Sex Abuse Treatment Center, and one individual.

Your Committees find that Hawaii is one of thirty-three states that primarily utilizes an indeterminate sentencing system where courts can order a maximum and minimum term, or both, and then actual time served is determined by a parole board. However, of the thirty-three states using an indeterminate sentencing system, Hawaii is the only state that requires a parole board to determine the minimum sentence of imprisonment. Your Committees believe that this process is redundant and time consuming for the Hawaii Paroling Authority who spends approximately thirty percent of its time on the post-conviction minimum sentencing process. This measure will help to increase the efficiency of the State's sentencing system and conserve state resources.

Your Committees have amended this measure by:

- (1) Specifying that the Chair of the Hawaii Correctional System Oversight Commission or the Chair's designee is requested to serve as chairperson of the task force;
- (2) Specifying that the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs or the Chairperson's designee is requested to serve on the task force;
- (3) Specifying that the member of the public included on the task force be a victim of domestic violence;
- (4) Requesting an additional member of the public who is a victim of sexual assault be included on the task force;
- (5) Limiting the Legislative Reference Bureau's assistance to the drafting of any legislation that may be proposed by the task force;
- (6) Requesting the task force to submit any request for proposed legislation, supporting documents, information, and materials deemed necessary, to the Legislative Reference Bureau no later than August 1, 2024; 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 Public Safety and Intergovernmental and Military Affairs and Judiciary that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 23, H.D. 1, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 23, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Judiciary: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**SCRep. 1913 Water and Land on Gov. Msg. No. 660**

Recommending that the Senate advise and consent to the nomination of the following:

COMMISSION ON WATER RESOURCE MANAGEMENT

G.M. No. 660 LAWRENCE MIIKE, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Lawrence Miike for service on the Commission on Water Resource Management.

Your Committee received testimony in support of the nomination for the appointment of Lawrence Miike from the Department of Land and Natural Resources, Honolulu Board of Water Supply, Sierra Club of Hawai'i, and four individuals.

Upon review of the testimony, your Committee finds that Dr. Miike's background, experience, and dedication to community service qualify him to be appointed to the Commission on Water Resource Management. Previously, Dr. Miike was a member of the Commission in his ex-officio capacity as the former Director of Health from 1994 to 1998 and again from 2004 to 2012 as a member with substantial experience or expertise in traditional Hawaiian water resource management techniques and in traditional Hawaiian riparian usage. Between these two periods, Dr. Miike published his acclaimed book, *Water and the Law in Hawai'i* (University of Hawaii Press 2004), which covers the laws governing the balance between water preservation and use, the science of aquifers and streams, and the customs and traditions practiced by ancient and present-day Hawaiians on the land and in the water. Further, Dr. Miike was a member of the Commission when it addressed its first major water issue under the State Water Code in 1995, which involved the Waihole Ditch System, a major irrigation infrastructure on Oahu supplying the island's leeward side with water diverted from its windward side. During his tenure as a Commission member, Dr. Miike was involved in many other significant water disputes, including two major cases on Maui. Dr. Miike received his Medical Degree from the University of California San Francisco School of Medicine and his Juris Doctorate from the University of California Los Angeles School of Law.

Your Committee finds that Dr. Miike, with his extensive background in law, water rights, and traditional Hawaiian water resource management techniques and usage, possesses the requisite qualifications to serve once again on the Commission on Water Resource Management. Your Committee finds that Dr. Miike has the subject matter expertise in the unique combination of fields specifically relevant to the work of the Commission, making Dr. Miike especially well-suited to the position. Your Committee further notes Dr. Miike's lifelong dedication to public service and acknowledges his willingness to volunteer for the Commission for a third time,

noting Dr. Miike's testimony that there is still much work left to do. Your Committee believes Dr. Miike's substantial institutional knowledge will greatly enhance the work of the Commission as it grapples with the many issues surrounding Hawaii's most vital natural resource. Your Committee finds that Dr. Miike has a thorough understanding of the role and responsibilities of Commission members and therefore recommends that Lawrence Miike be appointed to the Commission on Water Resource Management based on his knowledge, experience, 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. 1914 (Joint) Health and Human Services and Public Safety and Intergovernmental and Military Affairs on H.C.R. No. 94**

The purpose and intent of this measure is to urge the Department of Health to prioritize testing and research of beach sand contamination levels at Pokai Bay and requesting the City and County of Honolulu Department of Parks and Recreation to prioritize renovations of the restroom facilities at Pokai Bay.

Your Committees received comments on this measure from the Department of Health, Kingdom Pathways, and one individual.

Your Committees find that over the last decade, beach users and local community members have reported the presence of health and environmental hazards at Pokai Bay, as a result of pollution from multiple sources, including runoff from surrounding surfaces, illegal dumping, and user-induced contaminants. Your Committees also find that, according to a 2015 study conducted by the University of Hawaii at Manoa's Department of Civil and Environmental Engineering, beach sand holds more fecal indicator bacteria than seawater. Accordingly, the beach sand at Pokai Bay may be found to retain pollutants from the restroom facilities in the area, specifically rinse-off from the showers and fecal bacteria from toilet plumbing. This measure would improve the health and safety of Pokai Bay visitors by urging relevant authorities to prioritize testing and research of beach sand contamination levels and renovations of the restroom facilities at Pokai Bay.

Your Committees recognize that management of natural resources requires collaboration among all levels of government and the community. For example, the Genki Ala Wai project, whose goal is to make the Ala Wai Canal fishable and swimmable, has been successfully partnering with the Department of Health, various community organizations, and volunteers, in producing and discharging into the canal "genki balls" which are mud balls containing microorganisms that digest the sludge that creates a toxic environment in the canal.

Your Committees also acknowledge the testimony of the Department of Health that the Department currently monitors the water quality of Pokai Bay and prioritizes it as a Tier 1 beach, which receives weekly water quality monitoring for enterococci, a fecal indicator bacteria. Your Committees also note the concerns raised by the Department of Health regarding the lack of an approved or proven reliable testing method or a threshold or action-limit associated with health risks due to contact with sand that may be contaminated, as well as its lack of authority, resources, or expertise to alter or increase circulation in waters, as requested in this measure. It is therefore necessary to amend this measure to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Urging the Department to continue to prioritize testing of fecal indicator bacteria levels and any other pollutants in the waters of, rather than the beach sand at, Pokai Bay;
- (2) Deleting language that would have urged the Department of Health to develop a plan to increase water circulation at Pokai Bay, collaborate with other appropriate state and county agencies to increase water circulation, and report to the Legislature before the Regular Session of 2024;
- (3) Inserting language that urges the Department of Health to address land-based point and nonpoint sources of water pollution into Pokai Bay;
- (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 records of votes of the members of your Committees on Health and Human Services and Public Safety and Intergovernmental and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 94, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 94, S.D. 1.

Signed by the Chairs on behalf of the Committees.  
Health and Human Services: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Awa).  
Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1915 Health and Human Services on H.C.R. No. 101**

The purpose and intent of this measure is to request the Department of Health to convene a working group to review and update the relevant chapters of the Hawaii Revised Statutes that relate to mental health and involuntary transport, examination, hospitalization, and treatment, including assisted community treatment.

Your Committee received testimony in support of this measure from the Department of Health, Judiciary, and one individual. Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that provisions in the Hawaii Revised Statutes relating to mental health and involuntary transport, examination, hospitalization, and treatment, including assisted community treatment, have been amended in a piecemeal manner over the past several decades, leading to a lack of clarity and statutory inconsistencies. This measure will assist in improving mental health services for the State's residents, including those unable to help themselves, by establishing a cohesive body of law that governs involuntary transport, examination, hospitalization, and treatment, including assisted community treatment.

Your Committee acknowledges the concern raised by the Department of Health pertaining to the insufficient time frame established in this measure, as currently written, to convene the working group, schedule working group meetings, and prepare and submit a draft of its report and necessary information to the Legislative Reference Bureau for the preparation of its final report. Your Committee also notes the concerns raised by the Legislative Reference Bureau pertaining to the lack of clarity in the scope of its involvement regarding the requests made in this measure. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Extending the deadline by which the working group is requested to submit its draft report to the Legislative Reference Bureau, from August 1, 2023, to October 1, 2023;
- (2) Clarifying that the Legislative Reference Bureau requested to draft the proposed legislation that is to be included in the working group's report to the Legislature;
- (3) Amending its title to make a technical, nonsubstantive amendment; 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 and Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 101, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 101, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1916 Health and Human Services on H.C.R. No. 7**

The purpose and intent of this measure is to request the Department of Human Services Med-QUEST Division, in collaboration with the Department of Commerce and Consumer Affairs, to expand the types of qualified providers allowed to provide lactation consultant services for the Medicaid population in the State.

Your Committee received testimony in support of this measure from the Hawaii Medical Service Association, Lactation Access Transforming Communities in Hawai'i, Academy of Lactation Policy and Practice, Hawaii Affiliate of the American College of Nurse Midwives, Hawai'i Public Health Institute, and five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, and one individual.

Your Committee finds that increasing access to maternal health care in the State is critical for ensuring the health and well-being of mothers and future generations. Your Committee further finds that a lactation consultant is a certified health professional who specializes in the clinical management of breastfeeding and is trained to assist mothers in preventing and solving breastfeeding difficulties. Hawaii's Med-QUEST Division, however, only reimburses for services administered by certain providers, and does not currently allow certain qualified providers to be reimbursed for the same, critical services, thus unnecessarily restricting access to care. This measure therefore increases access to lactation consultant services for breastfeeding mothers who are Medicaid beneficiaries by expanding the types of qualified providers allowed to provide services.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 7, H.D. 2, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1917 Health and Human Services on H.C.R. No. 205**

The purpose and intent of this measure is to recognize and support ongoing collaborative efforts by state agencies and private organizations to implement the "Hep Free 2030" statewide strategy to eliminate viral hepatitis types A, B, and C in Hawaii.

Your Committee received testimony in support of this measure from the Department of Health, Hep Free Hawai'i, Hawai'i Health & Harm Reduction Center, and fifteen individuals.

Your Committee finds that Hawaii has one of the highest incidences and mortality rates in the country for liver cancer, primarily due to viral hepatitis. Your Committee further finds that the Department of Health has been partnering closely with a wide array of state and community partners to address this public health priority as a member of the Hep Free Hawaii coalition since 2011, and in 2020, the United States Senators for Hawaii, Lieutenant Governor, and Harm Reduction Services Branch of the Department of Health issued "Hep Free 2030", a first-in-the-nation, ten-year statewide strategy to help eliminate viral hepatitis types A, B, and C in Hawaii. This measure formally recognizes and supports the ongoing collaboration among public agencies and private organizations to further implement the "Hep Free 2030" statewide strategy.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 205, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1918 Health and Human Services on H.C.R. No. 207**

The purpose and intent of this measure is to request the Department of Health to convene an Early Lung Cancer Screening Working Group to continue the efforts of the Early Lung Cancer Screening Task Force established pursuant to Act 162, Session Laws of Hawaii 2022.

Your Committee received testimony in support of this measure from the Department of Health, AlohaCare, and The Queen's Health System.

Your Committee finds that Act 162, Session Laws of Hawaii 2022 (Act 162), established the Early Lung Cancer Screening Task Force within the Department of Health to research the steps and resources necessary to increase early lung cancer screening in Hawaii. Your Committee finds however, that the convening of the Task Force was delayed due to changes in leadership in various state and county departments, and the Task Force will not be able to complete its tasks by July 31, 2023, which is its scheduled sunset date. This measure ensures that the activities of the Early Lung Cancer Screening Task Force required pursuant to Act 162 are continued to address and reduce the impact lung cancer has on Hawaii's diverse population.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 207, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1919 Energy, Economic Development, and Tourism on H.C.R. No. 17**

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.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs; Hawaii State Energy Office; Hawaiian Electric; Hawai'i Gas; Sustainable Energy Hawaii; and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in 2022, the Biden-Harris Administration established an Indo-Pacific national security strategy that seeks to build resiliency by developing certain targets, strategies, plans, and policies consistent with limiting the negative consequences of climate change. Hawaii has established itself as a global leader on energy policy and was the first state to commit to goals similar to those established by the Biden-Harris Administration's policy. The United States Department of Energy (USDOE) has been a critical partner to the State in achieving its clean energy goals and economic transformation. A permanent USDOE presence in the State could accelerate the leadership and transformation of Hawaii toward a resilient, clean energy economy. Accordingly, this measure will help to enhance opportunities to create more federal and state partnerships, increase opportunities for the State to take advantage of federal assistance that will help the State transition to clean energy, and ensure that the benefits of the State's transition to clean energy are delivered to all customers and make the transition more affordable for all.

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. 17, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (DeCoite).

**SCRep. 1920 Public Safety and Intergovernmental and Military Affairs on H.C.R. No. 40**

The purpose and intent of this measure is to request that the Hawaii Emergency Management Agency establish a two-year task force to address key findings validated by the 2022 Resiliency Assessment report of the Hawaii Maritime Transportation Resiliency Assessment Program Project and plan resiliency enhancements.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawai'i Emergency Management Agency; and Matson Navigation Company, Inc.

Your Committee finds that Hawaii's maritime transportation system is critical to the State's supply chains, with the port of Honolulu being a vital component of the maritime transportation system. Approximately eighty percent of all inbound products move through the port of Honolulu, and any prolonged interruption of the port's operation could quickly create severe commodity shortages and cascading consequences for the State. Your Committee further finds that the Regional Resiliency Assessment Program's Resiliency Assessment report found that Hawaii will need to update and create a robust alternative port and Reverse Hub and Spoke plan and consider significant investments in resiliency—related infrastructure upgrades across the State. Your Committee believes that addressing the key findings in the Resiliency Assessment report and planning resiliency enhancements will better inform the State and its key maritime stakeholders regarding alternate emergency maritime options. This measure will assist in the creation of more robust plans to ensure the quality of critical infrastructure and allow the State to better prepare for, respond to, and recover from a catastrophic incident affecting maritime transportation systems.

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 and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 40, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 40, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1921 Public Safety and Intergovernmental and Military Affairs on H.C.R. No. 103**

The purpose and intent of this measure is to urge all branches of the United States Military operating in the State to implement changes in their policies to reduce, to the extent possible, the use of products containing perfluoroalkyl and polyfluoroalkyl substances.

Your Committee received testimony in support of this measure from the Department of Health, Environmental Caucus of the Democratic Party of Hawai'i, Hawaii Military Affairs Council, Americans for Democratic Action Hawai'i, Hawai'i Reef and Ocean Coalition, and one individual. Your Committee received comments on this measure from the Hawai'i Army National Guard and one individual.

Your Committee finds that perfluoroalkyl and polyfluoroalkyl substances (PFAS) are persistent, toxic substances that can contaminate drinking water, bioaccumulate in fish and wildlife, and have multiple adverse health effects on humans such as decreased fertility, elevated blood pressure in pregnant women, developmental effects or delays in children, an increased risk of certain cancers, and disruption of the body's immune system and natural hormones. PFAS are often called "forever chemicals" since they do not naturally break down in the environment and can continue to pollute the environment for thousands of years. Your Committee further finds that some of the highest concentrations of PFAS in the country have been found at and around military bases, in large part because of the military's longtime reliance on the firefighting foam known as aqueous film-forming foam (AFFF), a product containing PFAS. Your Committee believes that PFAS contamination can pose a public health concern and endanger the groundwater and drinking water supply of Hawaii residents. This measure will protect the health and well-being of people in the State by helping to reduce the amount of PFAS in the local environment, particularly near military bases.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 103, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1922 (Joint) Public Safety and Intergovernmental and Military Affairs and Agriculture and Environment on H.C.R. No. 208**

The purpose and intent of this measure is to request each county to develop a comprehensive integrated wastewater management plan and financial strategy to upgrade, convert, or connect cesspools located within its respective jurisdiction by 2050.

Your Committees received testimony in support of this measure from Housing Hawai'i's Future, Hawai'i Reef and Ocean Coalition, WAI: Wastewater Alternatives and Innovations, Hawai'i Association of REALTORS, and two individuals. 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 there are approximately eighty-three thousand cesspools across the State. Your Committees further find that Act 125, Session Laws of Hawaii 2017, (Act 125) requires every cesspool in the State, excluding cesspools granted exemptions by the Director of Health, to be upgraded or converted to a Director-approved wastewater system or connected to a sewerage system by January 1, 2050. However, the cost of conversions to most private and residential property owners is significant and many properties in rural areas, especially on the neighbor islands, may not have existing county infrastructure that allows for an easy upgrade, conversion, or connection. Your Committees believe that undertaking the massive infrastructure project of converting eighty-three thousand cesspools by 2050 will require proper planning and administration across various stakeholders and governmental institutions. This measure will encourage the necessary preparation and communication between relevant parties to meet the requirements of Act 125.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 208, H.D. 1, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.  
Public Safety and Intergovernmental and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (McKelvey, Awa).  
Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Awa).

**SCRep. 1923 (Joint) Health and Human Services and Transportation and Culture and the Arts on H.C.R. No. 28**

The purpose and intent of this measure is to increase awareness of chronic kidney disease in the State by designating the month of March as Hawaii Kidney Awareness Month.

Your Committees received testimony in support of this measure from the Department of Health, The Queen's Health System, Kaiser Permanente Hawai'i, Liberty Dialysis-Hawaii, Hawai'i Pacific Health, Hawaii Medical Association, National Kidney Foundation of Hawaii, U.S. Renal Care, Chronic Disease Coalition, Healthcare Association of Hawaii, and four individuals.

Your Committees find that the State's kidney failure rate is thirty percent higher than the national rate. Your Committees also find that symptoms of kidney disease do not manifest until later stages, and therefore, nine out of ten individuals having early kidney disease fail to realize that they have the disease. Your Committees further find that it is possible to delay or prevent chronic kidney disease through early detection and appropriate management of the causes of kidney failure, such as diabetes and high blood pressure. This measure designates the month of March as Hawaii Kidney Awareness Month to increase awareness of chronic kidney disease in the State.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Transportation and Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 28, and recommend its adoption.



Signed by the Chairs on behalf of the Committees.

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

Transportation and Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Inouye, Keohokalole).

**SCRep. 1924 (Joint) Public Safety and Intergovernmental and Military Affairs and Water and Land on H.C.R. No. 62**

The purpose and intent of this measure is to request the Department of Parks and Recreation of the City and County of Honolulu to restore the field of Maunawili Valley Neighborhood Park and develop a plan to restore the entire park.

Your Committees received no testimony on this measure.

Your Committees find that, located in Kailua, Maunawili Valley Neighborhood Park is a public space that is open to the general public and offers outdoor recreation and nature preservation. However, various environmental changes, including the encroachment of invasive grass, have left Maunawili Valley Neighborhood Park's field unsuitable to safely host sports events and activities. Your Committees believe that the entire park area should be restored in order to enable residents and visitors to safely recreate there. This measure will create a space for communities to congregate safely for gatherings or outdoor recreation and preserve the natural environment unique to the area around Maunawili Valley Neighborhood Park.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Water and Land that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 62, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1925 (Joint) Public Safety and Intergovernmental and Military Affairs and Water and Land on H.C.R. No. 78**

The purpose and intent of this measure is to urge the Department of Facility Maintenance of the City and County of Honolulu to conduct an assessment and prepare and execute a plan to maintain Manoa Stream.

Your Committees received testimony in support of this measure from three individuals.

Your Committees find that Manoa Stream has a history of flood events, with the most recent extensive event being the October 30, 2004, flood that caused over \$80,000,000 in damage to thirty-two buildings on the University of Hawaii at Manoa campus. However, the City and County of Honolulu has not regularly performed periodic maintenance activities necessary to adequately address flood mitigation of Manoa Stream through vegetative management, debris removal, and streambed dredging at specific locations. This measure will direct the flow of necessary resources and attention to encourage the maintenance of Manoa Stream and prevent future flooding.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Water and Land that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 78, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1926 (Joint) Public Safety and Intergovernmental and Military Affairs and Health and Human Services on S.R. No. 30**

The purpose and intent of this measure is to urge the City and County of Honolulu to recognize and address the inequitable location of mental health facilities and clean and sober homes across the island of Oahu.

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

Your Committees find that mental health facilities, clean and sober homes, homeless shelters, and other supportive living homes are inequitably located across the island of Oahu, with a large number of facilities and homes along the Waianae coast. The concentration of such facilities along Oahu's Waianae coast has caused individuals from other areas of Oahu struggling with mental health issues and substance use problems to be referred to services in that area. Your Committee believes that access to these facilities should be more evenly distributed across the island of Oahu. This measure recognizes the concerns of the Waianae coast communities and will help to ensure that relevant community stakeholders are actively engaged by state and local entities working to more evenly distribute mental health facilities, clean and sober homes, homeless shelters, and other supportive living homes on the island of Oahu.

Your Committees have amended this measure by:

- (1) Urging the State to also recognize and address the inequitable location of certain facilities and homes along the Waianae coast;
- (2) Expanding the types of facilities and homes the State and City and County of Honolulu are urged to recognize and address to include homeless shelters and other supportive living homes;
- (3) Requesting Partners in Care Oahu to consult with stakeholders on certain issues;
- (4) Expanding the list of certified copy recipients;
- (5) Amending its title in accordance with 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 Public Safety and Intergovernmental and Military Affairs and Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 30, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 30, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Public Safety and Intergovernmental and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fukunaga).

Health and Human Services: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1927 Hawaiian Affairs on S.R. No. 196**

The purpose and intent of this measure is to urge the establishment of a Native Hawaiian Intellectual Property Working Group to discuss policies and legislation with respect to Native Hawaiian intellectual property.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Association of Hawaiian Civic Clubs; Office of Hawaiian Affairs; and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that Native Hawaiians possess collective intellectual property rights derived from the traditional and cultural practices that their ancestors developed over thousands of years and passed down from generation to generation. This collective intellectual property takes many forms and includes but is not limited to ka 'ōlelo Hawai'i, hula, mele, mo'olelo, lei making, kapa making, kākau, weaving, feather work, carving, and wayfinding. Your Committee finds that increasingly, third-party users of indigenous Native Hawaiian knowledge are seeking to claim ownership of these cultural expressions and that a working group is therefore necessary to investigate and discuss how Native Hawaiian groups can best protect their collective intellectual property rights.

Your Committee has amended this measure by:

- (1) Adding the Association of Hawaiian Civic Clubs to the Native Hawaiian Intellectual Property Working Group;
- (2) Requesting that the Native Hawaiian Intellectual Property Working Group consult with the Creative Industries Division of the Department of Business, Economic Development, and Tourism, in addition to other Native Hawaiian communities and organizations deemed appropriate;
- (3) Adding the President of the Association of Hawaiian Civic Clubs and the Director of Business, Economic Development, and Tourism to the list of certified copy recipients; 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. 196, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 196, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1928 Hawaiian Affairs on H.C.R. No. 153**

The purpose and intent of this measure is to request the Department of Hawaiian Home Lands to conduct a study that evaluates possible methods of flood remediation and flood aversion for certain areas of the island of Molokai inhabited by Hawaiian homestead beneficiaries.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that flooding on the island of Molokai has become increasingly dangerous, as evidenced by two recent large storms that halted vehicles in thick mud, turned highways into rivers, and had homeowners wading through knee-deep water. Your Committee further finds that these flooding events have significantly impacted the lives of the many Hawaiian homestead beneficiaries on Molokai whose homes have been repeatedly damaged by stormwater runoff and mud and that an effective flood management plan is necessary to prepare against future heavy rainfall events. Therefore, this measure requests the Department of Hawaiian Home Lands to conduct a study that evaluates methods for flood mitigation and remediation for the homestead areas of Kalama'ula, Kapa'akea, Kamiloloa, and Makakupa'ia on the island of Molokai.

Your Committee notes the testimony of the Department of Hawaiian Home Lands, which attested that the Department recently approved a South Molokai Shoreline Erosion Management Plan that will allow the Department to begin the planning process for the "Developing Community Resilience for Molokai Coastal Homesteads" project, which will take place over the next two years. The Department further attested that this effort will be used in the subsequent preparation of a Community Resilience Plan for the communities of Kalama'ula, Kapa'akea, Kamiloloa, Makakupa'ia, and the Department-owned portion of Malama Park in Kaunakakai.

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. 153, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1929 Hawaiian Affairs on H.C.R. No. 125**

The purpose and intent of this measure is to request the Department of Hawaiian Home Lands to identify resources needed to execute a plan to repair homes for safe habitation.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that certain Department of Hawaiian Home Lands properties in already-developed communities have remained unoccupied for longer than necessary due to a variety of reasons, such as delays in processing a pending transfer or the need for repairs to restore a unit to habitability. Your Committee finds that by minimizing the length of time that these properties sit unoccupied — and thereby reducing the general vacancy rate -- the Department can become more efficient, better achieve its mission, and get more beneficiaries into housing. Therefore, this measure requests the Department to improve its processes by developing a plan to quickly and efficiently identify properties that are unoccupied or in need of repairs, assist lessees in assessing repairs and obtaining financing to repair uninhabitable units, expedite pending lease transfers, and conduct contested hearings in a timely manner.

Your Committee notes the testimony of the Department of Hawaiian Home Lands, expressing concerns that additional personnel and expertise may be necessary to develop and implement a proposed plan in conformance with the aspirations of this measure.

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. 125, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Ihara).

**SCRep. 1930 (Joint) Public Safety and Intergovernmental and Military Affairs and Energy, Economic Development, and Tourism on H.C.R. No. 160**

The purpose and intent of this measure is to urge the mayors and councils of the City and County of Honolulu, County of Maui, County of Hawaii, and County of Kauai to establish business improvement districts as special improvement districts.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Chamber of Commerce Hawaii. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that special improvement districts, also known as business improvement districts, are economic development organizations that bring public services to certain neighborhoods that match the needs of the people in those districts. Your Committees believe that establishing more business improvement districts throughout the State can increase the vitality and attractiveness of communities in the State. This measure will help to create collective economic benefits for local communities such as enhanced security, capital improvements, neighborhood promotions, and business attractions.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 160, H.D. 1, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.  
Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.  
Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Kim).

**SCRep. 1931 (Joint) Public Safety and Intergovernmental and Military Affairs and Energy, Economic Development, and Tourism on H.C.R. No. 117**

The purpose and intent of this measure is to urge the counties to include townhomes in the residential permitting process for the installation of solar panels.

Your Committees received testimony in support of this measure from 350Hawaii and three individuals.

Your Committees find that the State has a goal to achieve one hundred percent clean energy by 2045. However, commercial permits are required for solar panel installations for townhomes, while these installations for single-family homes require only a residential permit. This policy is preventing thousands of townhome owners from contributing to the State's renewable energy goals, thereby jeopardizing the State's energy security and its goal of reaching one hundred percent clean energy by 2045. Your Committees believe that the State and counties should support the growth of local solar installation companies, and Hawaii residents should have the opportunity to take advantage of federal and state tax incentives for the installation of solar panels, which can save households thousands of dollars. This measure will contribute to the State's renewable energy goals and stabilization of Hawaii's energy grid.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 117, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.  
Public Safety and Intergovernmental and Military Affairs: Ayes, 5. Noes, none. Excused, none.  
Energy, Economic Development, and Tourism: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Kim).

**SCRep. 1932 (Majority) Agriculture and Environment on H.C.R. No. 192**

The purpose and intent of this measure is to urge the Hawaii Climate Change Mitigation and Adaptation Commission to develop a proactive and comprehensive communication strategy to educate the State's residents about the health impacts of the climate crisis.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Climate Change Mitigation and Adaptation Commission, Climate Protectors Hawai'i, Blue Planet Foundation, and six individuals. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that the public generally recognizes and understands the impacts of climate change on infrastructure and the built environment but have less of an understanding of the health impacts of climate change. Scientific consensus indicates public health will be impacted because climate change will increase the incidence of increased heat, vector-borne diseases, crop failure and food insecurity, water insecurity, waterborne diseases, extreme weather events, air pollution, and adverse mental health impacts due to these climate stressors and collective eco-grief, which refers to the deep sense of loss and overwhelming emotional response felt when

learning about and experiencing the catastrophic destruction of the environment due to climate change. Your Committee believes that, as an island state, Hawaii remains particularly vulnerable to the effects of climate change and that more should be done to educate the State's residents about the extent to which climate change may impact public health and well-being. This measure will help to inform the public of the full spectrum of health risks posed by the climate crisis.

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. 192, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, 1 (Awa). Excused, 1 (DeCoite).

**SCRep. 1933 (Joint) Agriculture and Environment and Water and Land on H.C.R. No. 80**

The purpose and intent of this measure is to designate Hawaii's coral reefs as critical natural infrastructure and strongly support nature-based solutions such as coral reef restoration for risk reduction.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; The Nature Conservancy of Hawai'i and Palmyra; Hawai'i Reef and Ocean Coalition; Hawaii Fisherman's Alliance for Conservation and Tradition, Inc.; Kua'aina Ulu Auamo; and six individuals.

Your Committees find that healthy, effectively managed, and functioning coral reefs can help mitigate the risks and related loss and damage from floods, the effects of climate change, and natural disasters. However, coral reefs are being lost at alarming rates and threatened by global stressors related to climate change, such as sea level rise, coral bleaching, and ocean acidification; and by local stressors from land-based sources of pollution, unsustainable fishing practices, and invasive species. The Federal Emergency Management Agency (FEMA) is responsible for responding to natural disasters and providing technical and financial hazard mitigation support, which is primarily distributed as grant funding through FEMA's Hazard Mitigation Assistance programs. Legislative recognition of coral reefs as critical natural infrastructure demonstrates political support for nature-based solutions, and the level of a State's political support is an important metric when FEMA directs activities and funding toward coral reef restoration for risk reduction projects. This measure recognizes the State's coral reefs as critical natural infrastructure to be eligible for important funding to protect coral reefs.

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 concur with the intent and purpose of H.C.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 (DeCoite).  
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

**SCRep. 1934 Agriculture and Environment on H.C.R. No. 38**

The purpose and intent of this measure is to urge the National Institute of Food and Agriculture of the United States Department of Agriculture to issue additional funding for the Gus Schumacher Nutrition Incentive Program to provide matching funds for the expansion of the state Double Up Food Bucks Program to all approved supplemental nutrition assistance program retail outlets throughout the State.

Your Committee received testimony in support of this measure from the Department of Agriculture, Department of Health, Hawaii Seed Growers Network, Hawai'i Public Health Institute, Climate Protectors Hawai'i, Hawai'i Pacific Health, Hawai'i Farm Bureau, Ulupono Initiative, 350Hawaii.org, The Food Basket, and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the State's Double Up Food Bucks Program, "DA BUX", provides critical support, availability, and accessibility of healthy foods for Hawaii's people. Higher rates of poor diets and chronic diseases for income-limited individuals and families can occur when there is limited access to fresh produce, including fruits and vegetables. However, the inclusion of fresh, locally grown produce into nutrition incentive programs not only provide crucial intervention for public health, but these programs also offer farmers increased sales of local produce. As the State continues to address the high cost of living, this measure affirms continued support of valuable nutrition programs and Hawaii's families, local farmers, and economy.

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. 38, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

**SCRep. 1935 Agriculture and Environment on H.C.R. No. 126**

The purpose and intent of this measure is to urge the United States Department of Agriculture Natural Resources Conservation Service to take certain actions regarding fugitive dust.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in windy conditions, large dust storms can originate from former agricultural lands in the State that have become vacant, depositing topsoil into the ocean and thereby damaging the reefs and the marine environment, as well as detrimentally affecting the health of nearby residents. Your Committee further finds that although the Department of Health's Clean Air Branch regulates the discharge of fugitive dust in the State and imposes penalties for violations, existing rules do not require land owners to have fugitive dust mitigation plans approved by the Director of Health and the existing penalty structure does not consider the scale of

the dust emission. This measure urges the United States Department of Agriculture Natural Resources Conservation Service to take various actions to prevent and address the detrimental effects of fugitive dust arising from vacant undeveloped 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 H.C.R. No. 126, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

**SCRep. 1936 Education on H.C.R. No. 116**

The purpose and intent of this measure is to:

- (1) Urge the Committee on Weights to make a recommendation to the Board of Education for a weighted student formula that gives greater consideration to small and remote schools; and
- (2) Urge the Board of Education to adopt the recommendations made by the Committee on Weights.

Your Committee received testimony in support of this measure from Waiahole Elementary School, Hawaii State Teachers Association, Hui for Excellence in Education, and nineteen individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that Act 51, Session Laws of Hawaii 2004, also known as the Reinventing Education Act of 2004, established a weighted student formula to provide equitable distribution of funds to schools based on enrollment, student needs, and the unique characteristics of the school and its students. While the weighted student formula has achieved some success in providing more transparent and decentralized funding, small and remote rural schools still face difficulties with achieving full, necessary funding. This measure strives for equity in school funding to ensure all students, regardless of their location, receive a high-quality public education.

Your Committee has amended this measure by:

- (1) Urging equal consideration, rather than greater consideration, to small and remote schools in the weighted student formula;
- (2) Inserting language that acknowledges the weighted student formula's consideration of English language learners, special education, and economically disadvantaged students;
- (3) Inserting language that requests the Committee on Weights to consider creative ways for remote schools to work together and share resources; and
- (4) Amending its title in accordance with its amended purpose.

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. 116, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 116, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1937 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 636, 637, and 643**

Recommending that the Senate advise and consent to the nominations of the following:

COMMUNITY BASED ECONOMIC DEVELOPMENT ADVISORY COUNCIL

- G.M. No. 636 KAREN BARR, for a term to expire 06-30-2023;  
G.M. No. 637 KAREN BARR, for a term to expire 06-30-2027; and  
G.M. No. 643 TEENA RASMUSSEN, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Karen Barr and Teena Rasmussen for service on the Community Based Economic Development Advisory Council.

KAREN BARR

Your Committee received testimony in support of the nominations for the appointment and reappointment of Karen Barr from the Department of Business, Economic Development, and Tourism. Your Committee received testimony in opposition to the nominations for the appointment and reappointment of Karen Barr from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her appointment or reappointment.

Upon review of the testimony, your Committee finds that Ms. Barr's knowledge, experience, and desire to serve the community qualify her for appointment and reappointment to the Community Based Economic Development Advisory Council. Your Committee notes that Ms. Barr has a Bachelor of Arts degree in Social Science from Washington State University. Ms. Barr currently works as an Entrepreneurship Specialist for the Pacific Gateway Center, where she provides business coaching and technical assistance for startups and early-stage or struggling small businesses to help them improve their business. Ms. Barr also previously worked as a Marketing Director for Wedding Estates Hawaii, Public Affairs Associate for the McClellan Group, LLC; Sales associate for State Farm Insurance; and in various sales and account management roles. Your Committee further notes that Ms. Barr is an active member of several community organizations, such as the Rotary Club of Kahala Sunrise, Wahine Build, Dry Tikes and Wet Wipes, Moku'aina A Wakinekona Hawaiian Civic Club, and Women United. Your Committee believes that Ms. Barr's diverse work experience, business development knowledge, and commitment to public service will benefit the Community Based Economic Development Advisory

Council. Your Committee therefore recommends that Karen Barr be appointed and reappointed to the Community Based Economic Development Advisory Council.

#### TEENA RASMUSSEN

Your Committee received testimony in support of the nomination for the appointment of Teena Rasmussen from the Department of Business, Economic Development, and Tourism and two individuals. Your Committee received testimony in opposition to the nomination for the appointment of Teena Rasmussen from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her appointment.

Upon review of the testimony, your Committee finds that Ms. Rasmussen's background, experience, and commitment to public service qualify her to be nominated for appointment to the Community Based Economic Development Advisory Council. Ms. Rasmussen is the founding partner of Skog Rasmussen, LLC, which helps tailor and provide a range of community and economic development solutions for businesses. Ms. Rasmussen previously worked as the Director of the Maui County Mayor's Office of Economic Development for eight years where she helped establish the Small Business Revitalization Grant Program and founded multiple conferences and festivals to promote small businesses. Ms. Rasmussen was also the Co-Owner and Vice President of Paradise Flower Farms, Inc, which operated for nearly forty years. Your Committee notes that Ms. Rasmussen has further served in various capacities as a public servant. Ms. Rasmussen has served the Farm Service Agency of the United States Department of Agriculture, the Agribusiness Development Corporation of the State of Hawaii, and on the Small Business Administration Regional Advisory Board. Ms. Rasmussen has also served on the University of Hawaii Board of Regents, Haleakala Waldorf School's Board of Directors, and the Maui Community College Provost Advisory Board. Ms. Rasmussen has also served several non-profits in the State, including Tri Agency: Maui Youth and Family Services, Aloha House, and Malama Family Recovery and Maui United Way. Ms. Rasmussen has served on the Community Based Economic Development Advisory Council since 2021 and has a thorough understanding of the roles and responsibilities of the Advisory Council's members. Your Committee believes that Ms. Rasmussen's wealth of experience in the public and private sectors will be great assets to the Community Based Economic Development Advisory Council. Your Committee therefore recommends that Teena Rasmussen be appointed to the Community Based Economic Development Advisory Council based on her background, knowledge, and dedication 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, 4. Noes, none. Excused, 1 (DeCoite).

#### **SCRep. 1938 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 671 and 672**

Recommending that the Senate advise and consent to the nominations of the following:

#### BOARD OF DIRECTORS OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY

G.M. No. 671 CYD MIYASHIRO, for a term to expire 06-30-2027; and

G.M. No. 672 GORDON BRUCE, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Cyd Miyashiro and Gordon Bruce for service on the Board of Directors of the Natural Energy Laboratory of Hawaii Authority.

#### CYD MIYASHIRO

Your Committee received testimony in support of the nomination for the appointment of Cyd Miyashiro from the Natural Energy Laboratory of Hawaii Authority and three individuals. Your Committee received testimony in opposition to the nomination for the appointment of Cyd Miyashiro from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her appointment.

Upon review of the testimony, your Committee finds that Ms. Miyashiro's knowledge, experience, and proven leadership qualify her to be appointed to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority. Ms. Miyashiro holds a Master of Business Administration from George Washington University and a Bachelor of Business Administration from the University of Hawaii at Manoa, and has worked in the banking and finance industries for more than fifteen years. Ms. Miyashiro is currently the First Vice President of American Savings Bank and previously worked for the Department of Business, Economic Development, and Tourism as a Hawaii Broadband Initiative Strategy Officer and for the Hawaii Green Infrastructure Authority as the Acting Executive Director Program Officer. Your Committee notes that Ms. Miyashiro is an active member of her community and previously served as a board member on the Economic Development Alliance of Hawaii and council-member for the Hawaii Interagency Council for Transit-Oriented Development. Ms. Miyashiro has served on the Natural Energy Laboratory of Hawaii Authority since 2019 and currently serves as its Chair. Your Committee therefore recommends that Cyd Miyashiro be appointed to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority based on her private and public sector background, knowledge, and desire to contribute to the community.

#### GORDON BRUCE

Your Committee received testimony in support of the nomination for the appointment of Gordon Bruce from the Natural Energy Laboratory of Hawaii Authority and one individual. Your Committee received testimony in opposition to the nomination for the appointment of Gordon Bruce from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Bruce's background, experience, and commitment to public service qualify him to be appointed to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority. Mr. Bruce holds a Master's Degree from Hawaii Pacific University and has nearly fifty years of experience in the tech industry. During his career, Mr. Bruce has provided a wide range of consulting services to companies across the State, including in the areas of executive management, business startup, business development, strategic planning and governance, cyber security consulting, network infrastructure consulting, project management, and systems administration. Mr. Bruce is currently a managing member of GJB and Associates, LLC, and previously served as Chairman and CEO of Pacxa, the largest information technology company in the State. Mr. Bruce also previously served as the Director of the Department of Information Technology and Chief Information Officer for the City and County of Honolulu. Your Committee notes that Mr. Bruce is also an active leader in the community and is a member of the Armed Forces Communications and Electronics Association, Infragard, Federal Law Enforcement Foundation, and National Defense Industrial Association. Mr. Bruce is also a Cyber-Security Maturity Model Certified Registered Practitioner. Your Committee therefore recommends that Gordon Bruce be appointed to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority based on his technology background, professional experience, an desire to contribute to 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, 4. Noes, none. Excused, 1 (DeCoite).

**SCRep. 1939 Energy, Economic Development, and Tourism on Gov. Msg. No. 654**

Recommending that the Senate advise and consent to the nomination of the following:

SMALL BUSINESS REGULATORY REVIEW BOARD

G.M. No. 654 SANFORD MORIOKA, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Sanford Morioka for service on the Small Business Regulatory Review Board.

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 Small Business Regulatory Review Board. Your Committee received testimony in opposition to the nomination for the appointment of Sanford Morioka from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Morioka's knowledge, experience, and desire to serve his community qualify him to be appointed to the Small Business Regulatory Review Board. Mr. Morioka holds a Bachelor of Business Administration from the University of Portland and has been working in the printing industry for thirty-four years. Mr. Morioka has spent the last twenty-one years working for Edward Enterprises, Inc., a commercial printing company located in Honolulu, where he currently serves as President. Previously, Mr. Morioka worked in the Pacific Northwest for K/P Corporation as an Account Executive and for Wallace Computer Services, Inc., as an Account Executive and Senior Account Executive. Your Committee notes that Mr. Morioka is an active member of several community boards, including the Honolulu Japanese Chamber of Commerce and Kalihi Business Association. Additionally, Mr. Morioka previously served on the University of Hawaii's Shidler Alumni Board of Directors, Hawaii Food Manufacturer's Association's Marketing Committee, Postal Customer Council Hawaii's Board of Directors, and Palama Settlement's Executive Board of Directors. Mr. Morioka has been an interim member of the Small Business Regulatory Review Board since 2022 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Sanford Morioka be appointed to the Small Business Regulatory Review Board based on his business background, knowledge of Hawaii's small business communities, 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 (DeCoite).

**SCRep. 1940 Commerce and Consumer Protection on Gov. Msg. No. 593**

Recommending that the Senate advise and consent to the nomination of the following:

PUBLIC UTILITIES COMMISSION

G.M. No. 593 COLIN YOST, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Colin Yost for service on the Public Utilities Commission.

Your Committee received testimony in support of the nomination for the appointment of Colin Yost from the Governor; Department of Commerce and Consumer Affairs; Hawaii State Energy Office; Hawaii Green Infrastructure Authority; Mayor of the County of Kaua'i; Board of Water Supply of the City and County of Honolulu; International Brotherhood of Electrical Workers Local 1260; Blue Planet Foundation; Hawai'i Energy; Hawaii Solar Energy Association; Sierra Club of Hawai'i; ProVision Solar, Inc.; AES; and twenty individuals.

Upon review of the testimony, your Committee finds that Mr. Yost's background, experience, and commitment to public service, qualify him for appointment to the Public Utilities Commission. Your Committee notes that Mr. Yost has over twenty-five years of experience as an attorney practicing in the areas of environmental law, civil litigation, business law, consumer law, civil rights, Native Hawaiian rights, real estate matters, and administrative proceedings. Prior to his appointment to the Public Utilities Commission in November 2022, Mr. Yost was the Chief Operating Officer, and former General counsel, for RevoluSun LLC, the largest solar and energy storage contractor in the State. In this position, Mr. Yost gained an in-depth technical and practical understanding of solar and battery storage project development, construction, and interconnection at the small industrial, commercial, and residential levels. Prior to that, Mr. Yost was a founding partner in the law firm Cruise & Yost LLLC, where he advised renewable energy companies on policy and regulatory matters, including numerous filings with the Public Utilities Commission. Mr. Yost also gained considerable experience and knowledge of the regulatory aspects of the telecommunications industry while working as an associate trial attorney at the Paul Johnson Park & Niles law firm.

Your Committee further finds that Mr. Yost recognizes and supports the State's energy policies and goals. Mr. Yost 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. Mr. Yost noted that one of his goals for the Public Utilities Commission would be to accelerate and improve the ongoing transformation of the State's electricity and water infrastructure with a focus on community-driven solutions, affordability, reliability, and resilience. Mr. Yost also specified that he considers the Public Utilities Commission's Equity Docket to be of particular importance because it offers the potential of near-term remedies for communities that bear undue infrastructure burdens or have not been able to participate in the energy savings enjoyed by residents and businesses who install rooftop solar.

Your Committee notes that Mr. Yost's community involvement includes prior service as a board member for the Blue Planet Foundation, Hawaii Solar Energy Association, and Partnership for Pacific Resilience, and as an executive committee member and chair of the Hawaii Sierra Club. Mr. Yost was also selected as an emerging leader by Hawaii Business Magazine's "20 for the Next 20: 2016" and was selected to the 2011 Pacific Century Fellows Program. Mr. Yost'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 Colin Yost be appointed to the Public Utilities Commission 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, 5. Noes, none. Excused, none.

**SCRep. 1941 Hawaiian Affairs on Gov. Msg. No. 674**

Recommending that the Senate advise and consent to the nomination of the following:

HAWAIIAN HOMES COMMISSION

G.M. No. 674 MAKAI FREITAS, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Makai Freitas for service on the Hawaiian Homes Commission.

Your Committee received testimony in support of the nomination for the appointment of Makai Freitas from the Governor; Department of Hawaiian Home Lands; one member of the Hawai'i County Council; United Public Workers, AFSCME Local 646, AFL-CIO; Waimea Hawaiian Homestead Association; ILWU Local 142 Hawaii Longshore Division; ILWU Local 100; District 8 Council of the Hawai'i County Committee of the Democratic Party of Hawai'i; and one hundred twenty-four individuals. Your Committee received testimony in opposition to the nomination for the appointment of Makai Freitas from one individual.

Upon review of the testimony, your Committee finds that Mr. Freitas' background, experience, and dedication to community service qualify him to be appointed to the Hawaiian Homes Commission as the representative of West Hawaii, Hawaii island. Mr. Freitas was born and raised on Hawaii island and has deep intergenerational roots and ties to the West Hawaii community. Since January 2022, Mr. Freitas has served as the elected Chair of ILWU Unit 1201 Big Island Stevedores, where he represents the local shipping titans, Matson Navigation Company, Inc. and Hawaii Stevedores, Inc. Previously, Mr. Freitas served as a member of the ILWU Political Action Committee, where he worked with legislators, organized campaign activities, and worked with nonprofits to address the housing needs of his union members. Mr. Freitas is employed as a longshoreman for Big Island Stevedores and previously worked for McCabe, Hamilton and Renny Co., Ltd., Hawaii's oldest and only independently-owned stevedore company. Separately, prior to his career as a longshoreman, Mr. Freitas was a football star, signing with the then Oakland Raiders in 2002. Mr. Freitas has parlayed his passion for football into coaching youth and high school sports leagues on Hawaii island. Mr. Freitas also volunteers as Vice Chair of the District 8 Council of the Hawai'i County Committee of the Democratic Party of Hawai'i, which encompasses Waimea, Waikoloa, Waiki'i, Kawaihae, Kapa'au, and Hawi. Mr. Freitas is additionally a member of the Waimea Community Association.

Your Committee finds that Mr. Freitas, with his deep ties to West Hawaii and his extensive background as a labor organizer and community leader, possesses the requisite qualifications to serve on the Hawaiian Homes Commission as the representative of West Hawaii. Mr. Freitas has a demonstrated ability to engage with communities and be their voice and advocate, a skillset that makes him especially well-suited to serve on behalf of the West Hawaii homestead beneficiaries. Further, Mr. Freitas has demonstrated his deep commitment to improving the community of West Hawaii through his longtime union leadership, public service, and mentorship of the next generation through the arena of sports. Mr. Freitas received tremendous testimonial support in favor of his appointment and your Committee specifically notes the favorable testimony submitted on his behalf from members of the homestead community. Your Committee finds that Mr. Freitas has a thorough understanding of the role and responsibilities of Commission members and therefore



recommends that Makai Freitas be appointed to the Hawaiian Homes Commission based on his knowledge, experience, and commitment to public service.

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 (Ihara).

**SCRep. 1942 Health and Human Services on Gov. Msg. No. 514**

Recommending that the Senate advise and consent to the nomination of the following:

DIRECTOR, DEPARTMENT OF HEALTH

G.M. No. 514 KENNETH FINK, for a term to expire 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Dr. Kenneth Fink for service as the Director of Health.

Your Committee received testimony in support of the nomination for the appointment of Dr. Kenneth Fink from the Governor; Department of Health; Department of Hawaiian Home Lands; Department of Budget and Finance; Department of Law Enforcement; Department of Agriculture; Department of Education; Department of Land and Natural Resources; Department of Taxation; Department of Human Services; Executive Office on Aging; Disability and Communication Access Board; Office of Enterprise Technology Services; Hawaii Health Systems Corporation Oahu Region; Hawaii Disability Rights Center; City and County of Honolulu Board of Water Supply; 'Ohana Health Plan; Healthcare Association of Hawaii; AlohaCare; Hawai'i Primary Care Association; Hawai'i Medical Service Association; Kaiser Permanente Hawai'i; Hawai'i Pacific Health; Hāna Health; Castle & Cooke Hawai'i; Capitol Consultants of Hawaii; The Queen's Health System; Hawaii Association of Health Plans; Matson Navigation Company, Inc.; and forty-seven individuals. Your Committee received comments on the nomination for the appointment of Dr. Kenneth Fink from Akamai Cannabis Consulting.

Upon review of the testimony, your Committee finds that Dr. Fink's experience, background, and commitment to public service qualify him for appointment as the Director of Health. Dr. Fink is a seasoned physician-executive with extensive credentials in medicine, military service, public health, public and private sector executive leadership, and public administration. Dr. Fink is board certified in family medicine, and general preventive medicine and public health. He received his Bachelor of Science in Chemistry from Haverford College and his Doctor of Medicine and Master of Governmental Administration from the University of Pennsylvania. After completing his residency in family medicine at the University of Washington, Dr. Fink attended the University of North Carolina School of Public Health, where he earned his Master of Public Health and completed his preventive medicine residency and health services research fellowship as a Robert Wood Johnson Clinical Scholar. Dr. Fink was thereafter selected to be a Kerr White Visiting Scholar and completed a health policy fellowship at the United States Department of Health and Human Services Agency for Healthcare Research and Quality. Furthermore, Dr. Fink was awarded the degree of Fellow by the American Academy of Family Physicians and American College of Preventive Medicine, and trained in the Excellence in Government Fellows Program at the Council for Excellence in Government in Washington D.C.

Dr. Fink has been serving as the Interim Director of Health since January 2023. At the time of his appointment, Dr. Fink was serving as the Vice President for Medicare and Medicaid Programs at the Hawaii Medical Service Association. Before that, Dr. Fink served as the Director of Student Health Services for Kamehameha Schools. Dr. Fink has also served as the Administrator of the Department of Human Services Med-QUEST Division, Chief Medical Officer for Region 10 of the Centers for Medicare and Medicaid Services, and Director of the United States Preventive Services Task Force Program and Director of Evidence-Based Practice Centers Program at the Agency for Healthcare Research and Quality. Dr. Fink's leadership skills are also demonstrated in his military career, during which he received numerous awards and decorations. Following the attack on September 11, 2001, Dr. Fink placed his professional career aside to serve in Operation Enduring Freedom. Dr. Fink recently retired as a Colonel from the United States Air Force Medical Corps. Dr. Fink also served in the Hawai'i Air National Guard as Commander, Chief of Aerospace Medicine, and Flight Surgeon in the 154th Medical Group.

Dr. Fink has earned the trust and respect of his colleagues with whom he has engaged over many years, as evidenced by the overwhelming testimony in support of his nomination. Testifiers who have worked closely with him during his time as the State Medicaid Director have commended his responsiveness and willingness to work through difficult issues, such as addressing the State's historic staffing crisis in neighbor-island emergency air ambulance services, and his honest and candid efforts in working with health care providers to mitigate the impacts of reduction in Medicaid coverage. Dr. Fink has hit the ground running as Interim Director of Health, demonstrating his ability to comprehend and respond to complex issues of the State's diverse health care system. Dr. Fink has garnered the trust and support of his staff by emphasizing values that focus on integrity, sense of stewardship, scientific fidelity, curiosity, innovation, and communication, and has re-energized the Department. Other state agencies have commended Dr. Fink's open-door approach; transparent and ethical leadership; deep understanding of the State residents' various needs, social determinants of health and well-being, and issues impacting the State's most marginalized communities; and communication skills and leadership style that welcomes collaboration and ideas for improvement.

Your Committee notes from Dr. Fink's personal statement that his vision for the Department of Health is to provide all State residents with health equity -- a fair and just opportunity to achieve optimal health and well-being. With over one quarter of the Department's positions being vacant, Dr. Fink has emphasized the necessity to establish a strong foundation to optimize the efficiency and effectiveness of the Department. Dr. Fink has also acknowledged the need to expand public health facilities and workforce to address new issues resulting from the coronavirus disease 2019 pandemic, such as increased mental health needs, and to improve timeliness of vital record certificate issuance. Dr. Fink's goal is for the Department to be a trusted source of information to allow people to make informed health-related decisions during times where a plethora of misinformation and disinformation makes the

deciphering of accurate information increasingly difficult. Dr. Fink has also highlighted the urgent need to ensure that the defueling and decommissioning of the Red Hill Bulk Fuel Storage Facility are performed as quickly as safely possible and to hold the United States Department of Defense accountable to an acceptable timeline. Your Committee therefore recommends that Dr. Kenneth Fink be appointed as Director of Health based on his qualifications, experience, background, and demonstrated commitment to the health and safety of the people of Hawaii.

As affirmed by the record of votes of the members of your Committee on Health and 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. 1943 Health and Human Services on Gov. Msg. No. 527**

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY DIRECTOR, DEPARTMENT OF HEALTH

G.M. No. 527 SUSAN FERNANDEZ, for a term to expire 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Susan Fernandez for service as the Deputy Director of Health.

Your Committee received testimony in support of the nomination for the appointment of Susan Fernandez from the Governor, Department of Health, Department of Hawaiian Home Lands, Department of Transportation, Department of Commerce and Consumer Affairs, Department of Taxation, Department of Land and Natural Resources, Department Of Human Services, Department of Budget and Finance, Office of Enterprise Technology Services, Hawaii Public Housing Authority, and twenty-three individuals. Your Committee received testimony in opposition to the nomination for the appointment of Susan Fernandez from two individuals.

Upon review of the testimony, your Committee finds that Ms. Fernandez's professional experience, background, and commitment to public service qualify her to be appointed as the Deputy Director of Health. Ms. Fernandez is the first nominee for the position of Deputy Director of Health from outside of the Department of Health in over twenty years. Ms. Fernandez has over a decade of experience in various administrative and managerial government positions and brings with her a broad range of experience in both public and private sectors in the areas of human resources, health care, finance, strategic planning, legislative processes and budget management, performance evaluation, accreditation support, and neighbor island issues.

Ms. Fernandez earned a Bachelor of Business Administration and Master of Business Administration from the University of Hawaii at Manoa. Prior to her appointment as Deputy Director of Health, Ms. Fernandez served as the Deputy Director of the Department of Community Services for the City and County of Honolulu where she functioned as the Chief Operations Officer and oversaw day-to-day operations, improved and streamlined departmental efforts, and developed innovative processes to increase the Department's efficiency. Before her employment with the City and County of Honolulu, Ms. Fernandez served as the Assistant Hospital Administrator at Hilo Medical Center where she provided executive oversight of Revenue Cycle Departments, developed strategic plans, managed budget policies and procedures, engaged in planning and performance improvement initiatives, managed procurement and reporting, and directed and developed analyses for operations performance and resource utilization. Ms. Fernandez also previously worked as a Chief Budget, Planning, and Management Officer with the Department of Human services; a Budget Chief and Analyst at the Hawaii State House of Representatives for the Standing Committee on Finance; and Operations Senior Manager of the New Ventures/Optical Department at Kaiser Permanente Hawaii. Ms. Fernandez also started her own business, Susan Fernandez Consulting, where she served as a business specialist and advised clients on strategic planning, market development, environmental and market analysis, and budgets and funding sources, and advised startups and aided clients in grants and public funding sources.

The testimony received by your Committee established that Ms. Fernandez is admired and respected by her colleagues and has a proven track record of being an open-minded, driven, intelligent, and caring leader. Ms. Fernandez is committed to serving the public with transparency and integrity and as a compassionate leader who values consensus-building with her team and leads by example. Testifiers who work closely with Ms. Fernandez commented that, in her time as Interim Deputy Director of Health, Ms. Fernandez has brought a fresh perspective on agency policies and procedures that have been well-received and has earned the respect of senior staff as a result of her willingness to listen, desire to be a part of solutions, and follow through in her tasks. Your Committee further notes from Ms. Fernandez's personal statement that her goals for the Department of Health are to create and enable a healthy environment for her staff, improve departmental systems and processes, and deliver critical services to the community. Your Committee therefore recommends that Susan Fernandez be appointed as Deputy Director of Health based on her background, knowledge, and demonstrated commitment to public service.

As affirmed by the record of votes of the members of your Committee on Health and 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. 1944 Transportation and Culture and the Arts on Gov. Msg. No. 530**

Recommending that the Senate advise and consent to the nomination of the following:

FIRST DEPUTY DIRECTOR FOR ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

G.M. No. 530 TAMMY LEE, for a term to expire 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Tammy Lee for service as the First Deputy Director for Administration of the Department of Transportation.

Your Committee received testimony in support of the nomination for the appointment of Tammy Lee from the Office of the Governor; Department of Transportation; Department of Land and Natural Resources; Department of Public Safety; Department of Budget and Finance; Department of Labor and Industrial Relations; Department of Agriculture; Department of Human Resources Development; State Procurement Office; Department of Taxation; Hawaii Public Housing Authority; Office of Enterprise Technology Services; Executive Steering Group of the Department of Transportation – Airports Division; Department of Transportation Services of the City and County of Honolulu; International Longshore and Warehouse Union, Local 142; Hawaii Longshore Division of the International Longshore and Warehouse Union, Local 142; Capitol Consultants of Hawaii, LLP; Hawaii Harbor Users Group; Matson Navigation Company, Inc.; Hawaii Think Tank LLC; General Contractors Association of Hawaii; Young Brothers, LLC; Ohanasoft; Pacific Resource Partnership; Airport Concessionaires Committee; SanHi Government Strategies; Airlines Committee of Hawaii; Johnson Controls; Association of Hawaiian Civic Clubs; Ulupono Initiative; and eighty-three individuals.

Upon review of the testimony, your Committee finds that Ms. Lee's experience and knowledge qualify her for appointment as the First Deputy Director for Administration of the Department of Transportation. Ms. Lee has served as the interim First Deputy Director for Administration of the Department of Transportation since December 2022 and has since worked closely with the interim Director of Transportation to ensure the safety, reliability, and continuity of the State's transportation infrastructure and network. Ms. Lee has served in the Department of Transportation Administration Division for sixteen years, serving as a civil rights specialist, contracts officer, business management officer, and administrative services officer. In her most recent role at the Department of Transportation, Ms. Lee served as the Program Director for the Highways Financial Management System Project and led the Highways Revenue Bond 2019A, 2019B, and 2021 transactions, totaling \$300 million in bond proceeds. Ms. Lee also took a proactive approach during the coronavirus disease 2019 (COVID-19) pandemic, when she oversaw forty-five employees with continuous coaching and mentorship; developed division policies for telework; improved workflow through the incorporation of new technologies; and developed a budget to fit the needs and resources of the Department of Transportation. Through Ms. Lee's leadership in the Department of Transportation's paperless procurement process, the Department was able to continue its procurement during the COVID-19 pandemic with minimal interruptions. Additionally, Ms. Lee was instrumental as the co-developer of the Highways Division Engineer Wiki Wiki Hire Program, a hiring program to fill vacancies with talented individuals to fulfill the Highways Division's mandate. Through Ms. Lee's leadership with the Wiki Wiki Hire Program, the Highways Division hired forty-six individuals within the first nine months of the program.

Your Committee also finds that Ms. Lee's extensive experience in both senior management and technical positions within the Department of Transportation provides crucial institutional knowledge that will inform decisions of the Department of Transportation to best serve Hawaii's transportation needs. Ms. Lee's experience has also allowed her to cultivate a sound working relationship with Department of Transportation staff and other employees, serving as an impactful leader with her teams and other Department of Transportation employees. Further, Ms. Lee's varied experience in budget and finance, human resources, procurement, and recruitment will serve as assets to the Department of Transportation as it strives for efficiency and consistency to ensure the State's transportation services remain safe and reliable despite the onset of challenges such as climate change impacting the State's transportation infrastructure network.

Your Committee further finds that Ms. Lee also received several professional accolades, including 2012 Member Transportation Team of the Year, Construction Career Days Team; 2013 Transportation Employee of the Year; and 2020 Member Transportation Team of the Year, Wiki Wiki Team. Ms. Lee received a Juris Doctorate from Gonzaga University School of Law and a Bachelor of Arts in Sociology from the University of Hawaii at Manoa.

Your Committee believes that Ms. Lee's previous experience in administrative, personnel, and project management as well as her technical knowledge qualify her to serve as the Department of Transportation First Deputy for Administration. Ms. Lee's strong work ethic, commitment to enhancing the Department of Transportation toward achievement of its goals, and highly valued interpersonal skills make her an asset to the Department of Transportation's leadership team. Your Committee also believes that Ms. Lee has demonstrated a vision for the administrative processes of the Department of Transportation to ensure all Department functions are carried out efficiently and in a timely manner. Further, testifiers commented on Ms. Lee's dedication to and thoughtfulness toward her employees and Department of Transportation projects, as evidenced through her long-term service to the Department, making her an ideal candidate to carry out the mission, responsibilities, and goals of the Department. Therefore, your Committee recommends that Tammy Lee be appointed as the First Deputy Director for Administration of the Department of Transportation based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Transportation and 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 (Inouye).

**SCRep. 1945 Transportation and Culture and the Arts on H.C.R. No. 31**

The purpose and intent of this measure is to urge the Department of Transportation to construct an all-way crosswalk along the cross-streets of Kahualii Street, Waipio Point Access Road, and Farrington Highway.

Your Committee received testimony in support of this measure from the Department of Education, Department of Transportation, and four individuals.

Your Committee finds that the area surrounding Waipahu High School before and after the school day becomes heavily congested with cars and pedestrians commuting through the area. Due to the street design, students and individuals need to cross multiple times to get to and from Waipahu High School, often overflowing pedestrian islands. The high density of students and individuals on

pedestrian islands poses a significant safety concern, as pedestrians may be pushed into oncoming traffic. This measure urges alternative methods to alleviate safety concerns and traffic congestion near Waipahu High School.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 31, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

**SCRep. 1946 Transportation and Culture and the Arts on H.C.R. No. 33**

The purpose and intent of this measure is to designate November 22, 2023, as “Kimchi Day” in the State.

Your Committee received testimony in support of this measure from the Korean American Coalition of Hawaii, Maui Korean Community Association, Peaceful Unification Advisory Council Hawaii, United Korean Association of Hawaii, and fourteen individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that 2023 marks the one hundred twentieth anniversary of the arrival of the first Korean immigrant workers in Hawaii. Since then, Korean Americans in Hawaii, including approximately fifty thousand residents who are ethnically Korean, have greatly contributed to the diverse and vibrant culture of the State. In 2013, the traditional process of preparing kimchi (“kimjang”), a traditional Korean dish with an extensive history beginning over two millennia ago, was recognized as an intangible cultural heritage of humanity by the United Nations Educational, Scientific and Cultural Organization.

Your Committee further finds that South Korea celebrates “National Kimchi Day” on November 22 to represent eleven major ingredients in kimchi and its associated twenty-two health benefits. As the popularity of kimchi has grown significantly, other states such as California and Virginia celebrate Kimchi Day. Therefore, this measure celebrates the diverse ethnic heritage of the State and recognizes Korean Americans’ contributions to the State’s vibrant food culture.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 33, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

**SCRep. 1947 Transportation and Culture and the Arts on H.C.R. No. 81**

The purpose and intent of this measure is to recognize August 8, 2023, as Hawaiian Honeycreepers Celebration Day.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; The Nature Conservancy; Coordinating Group on Alien Pest Species; American Bird Conservancy; numerous students from Kalaheo Elementary School, Kanuikaponu Public Charter School, ‘Iolani School, Pōmaika‘i Elementary School, Mānoa Elementary School, Volcano Elementary School; and three individuals.

Your Committee finds that Hawaii is home to many native plant and animal species, including forty-seven endemic manu (bird) species that include honeycreepers. The introduction of various threats, including predators, disease, climate change, and degradation of habitats, has accelerated extinction threats for native manu. By recognizing the cultural and scientific significance of manu through community awareness and support, further success to protect native manu can be achieved. This measure recognizes the importance of Hawaii’s native species while also acknowledging ongoing efforts to protect and preserve native manu in the State’s natural areas.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 81, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1948 Transportation and Culture and the Arts on H.C.R. No. 68**

The purpose and intent of this measure is to:

- (1) Urge the United States to support Taiwan’s participation in international organizations, including the World Health Organization, International Criminal Police Organization, United Nations Framework Convention on Climate Change, and International Civil Aviation Organization; and
- (2) Urge international organizations to grant Taiwan observer or other appropriate status.

Your Committee received testimony in support of this measure from the Taipei Economic and Cultural Office in Honolulu.

Your Committee finds that similar to the United States, Taiwan shares universal values of freedom, democracy, and respect for human rights and the rule of law. Taiwan and Hawaii have an established sister-state relationship since 1993, and each major county in the State has an ongoing sister-city or sister-county relationship. Additionally, Taiwan has also become a growing economic force as the twenty-first largest economy in the world. While Taiwan holds membership as an observer in forty different international organizations, it lacks membership and statuses in major groups that are instrumental in international policy, law and order, and finance. This measure encourages the advancement of international relations with Taiwan to achieve shared goals and prioritize similar values.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 68, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

**SCRep. 1949 Transportation and Culture and the Arts on H.C.R. No. 19**

The purpose and intent of this measure is to urge the Department of Transportation Services of the City and County of Honolulu to conduct a feasibility study of widening the portion of University Avenue between Maile Way and Oahu Avenue.

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 finds that Manoa Valley is a residential neighborhood of Honolulu, servicing four private schools; numerous businesses, clubs, and organizations; kupuna care and health care centers; and the University of Hawaii at Manoa. Despite the high traffic volume into and out of Manoa Valley, the ingress and egress is limited to two roads: Manoa Road and University Avenue. The limited access to Manoa Valley also poses a safety concern for all roadway users and emergency responders. This measure will alleviate traffic congestion to provide more accessibility to Manoa Valley.

Your Committee has amended this measure by:

- (1) Urging the Department of Transportation Services of the City and County of Honolulu to widen University Avenue to become a complete street providing safe and protected transit for all modes;
- (2) Amending its title in accordance with its amended purpose; 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 Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 19, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 19, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

**SCRep. 1950 Transportation and Culture and the Arts on H.C.R. No. 90**

The purpose and intent of this measure is to request the Department of Transportation, in coordination with the Department of Transportation Services of the City and County of Honolulu, to install speed bumps and other traffic calming structures on Ala Aolani Street in Moanalua Valley and other surrounding streets deemed appropriate to deter speeding.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that certain residential streets across the State, including Ala Aolani Street in Moanalua Valley, serve as major arteries to connect neighborhoods with major roadways. While residential areas have lower speed limits than highways and major roadways, speeding remains a risk to all roadway users, including bicyclists, pedestrians, passengers, and even drivers. Therefore, the installation of traffic calming tools may preserve the character of residential streets while also promoting safe practices for all roadway users.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 90, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

**SCRep. 1951 Transportation and Culture and the Arts on H.C.R. No. 150**

The purpose and intent of this measure is to request the Department of Transportation to establish an air service task force to provide recommendations for improving commercial air travel to and from Molokai and Lanai.

Your Committee received testimony in support of this measure from the Department of Transportation and four individuals.

Your Committee finds that, presently, only one commercial airline provides air transport services to Molokai and Lanai, which has become unreliable as flights are infrequent and often canceled at the last minute. As a result, many Molokai and Lanai residents who must travel for essential reasons such as medical appointments, work, and family, are stranded without outgoing or inbound flights. This measure aims to improve air transportation services for Molokai and Lanai between major hubs to provide residents with stable, reliable, and affordable options.

Your Committee has amended this measure by:

- (1) Amending the composition of the air service task force by:
  - (A) Removing the United States Secretary of Transportation, or the Secretary's designee;
  - (B) Removing the Regional Administrator for the Federal Aviation Administration, Western-Pacific Region, or the Regional Administrator's designee;
  - (C) Removing the Director of Commerce and Consumer Affairs, or the Director's designee;
  - (D) Adding three members to be selected by the Governor, President of the Senate, and Speaker of the House of Representatives, respectively; and
  - (E) Adding any additional member whose expertise may be relevant to and as recommended by the task force;

- (2) Inviting the Regional Administrator for the Federal Aviation Administration, Western-Pacific Region to the task force;
- (3) Requesting the task force to consider a new air traffic control tower for Lanai Airport;
- (4) Removing the United States Secretary of Transportation and Director of Commerce and Consumer Affairs from the list of recipients of certified copies;
- (5) Adding the Governor 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 Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 150, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 150, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

**SCRep. 1952 Transportation and Culture and the Arts on H.C.R. No. 16**

The purpose and intent of this measure is to designate February 24, 2023, as “Remember Ukraine Day in Hawaii”

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai‘i, Hawaii Stands With Ukraine, and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that on February 24, 2022, the military forces of Russia attacked the neighboring country of Ukraine in an unprovoked invasion. People all over the world were deeply moved by the tragic loss of human life, intentional targeting of Ukrainian noncombatants, and massive destruction inflicted upon Ukraine. As a result, the global diplomatic, ideological, and moral response, led by the United States and its allies, set a precedent especially for other nations who would deploy similar tactics against peaceful neighboring countries. This measure upholds human rights, individual freedoms, and remembers the devastating toll of the Russian invasion of Ukraine.

Your Committee has amended this measure by:

- (1) Deleting language that would have designated February 24, 2023, as “Remember Ukraine Day in Hawaii”;
- (2) Inserting language affirming support and solidarity with the free and independent people of Ukraine;
- (3) Amending its title in accordance with 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 Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 16, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 16, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Awa).

**SCRep. 1953 (Joint) Government Operations and Transportation and Culture and the Arts on H.C.R. No. 37**

The purpose and intent of this measure is to request the Comptroller, in consultation with other state officials, to submit a report on the process and procedures for the transfer of funds to the Works of Art Special Fund.

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 and State Foundation on Culture and the Arts.

Your Committees find that Act 298, Session Laws of Hawaii 1967, required all appropriations for the original construction of any state building to include, as a nondeductible item, an amount of one percent of the appropriation for the acquisition of works of art that may be incorporated into the facility. Further, Act 389, Session Laws of Hawaii 1989, established the Works of Art Special Fund into which one percent of all state fund appropriations for capital improvements designated for the construction cost element is mandated to be deposited. While the requirements for the Works of Art Special Fund are statutorily prescriptive, further clarification is needed to ensure funds are spent in an appropriate manner to support the State’s artistic heritage. This measure requests information to ensure the process for the transfer of funds into the Works of Art Special Fund is efficient and proper.

As affirmed by the records of votes of the members of your Committees on Government Operations and Transportation and Culture and the Arts that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 37, H.D. 1, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.  
Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Awa).  
Transportation and Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1954 Commerce and Consumer Protection on H.C.R. No. 29**

The purpose and intent of this measure is to request the Department of Commerce and Consumer Affairs to study potential solutions for the legal and physical situation at Sunset Memorial Park and make recommendations for a long-term management plan.

Your Committee received testimony in support of this measure from four individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that Sunset Memorial Park in Pearl City, Oahu, has been neglected for years and has been the subject of numerous complaints by individuals who have family members buried there. The company that owns Sunset Memorial Park involuntarily dissolved in 2006, and the company's owner passed away in 2011, leaving the property in legal limbo. Since the passing of the property's owner, maintenance of Sunset Memorial Park has relied solely on volunteers to clean up and care for the cemetery. In response, the Legislature enacted Act 193, Session Laws of Hawaii 2018 (Act 193) to limit liability for volunteers maintaining or repairing cemetery grounds. Act 193 also required the Department of Commerce and Consumer Affairs, in consultation with the Department of Accounting and General Services, to develop short-term and long-term strategies for the upkeep, repair, and maintenance of Sunset Memorial Park. Although much work has been done to survey and map Sunset Memorial Park, almost five years have passed since the enactment of Act 193, and a long-term plan or solution regarding Sunset Memorial Park is still not in place. This measure is a step towards helping the community to secure real and long-term solutions for the maintenance of Sunset Memorial Park.

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 H.C.R. No. 29, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1955 Commerce and Consumer Protection on H.C.R. No. 41**

The purpose and intent of this measure is to:

- (1) Urge the Public Utilities Commission to reevaluate and adopt administrative rules relating to the removal of abandoned lines, double poles, and equipment; and
- (2) Request the Public Utilities Commission to adopt updated provisions of the National Electrical Safety Code to streamline the removal of double poles and other unsafe abandoned equipment.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs Division of Consumer Advocacy and one individual. Your Committee received comments on this measure from the Public Utilities Commission, Hawaiian Electric, and Hawaiian Telcom.

Your Committee finds that the Public Utilities Commission (PUC) regulates all chartered, franchised, certificated, and registered public utility companies operating in the State. The 2002 edition of the National Electrical Safety Code, adopted by the PUC, states that "[l]ines and equipment permanently abandoned shall be removed or maintained in a safe condition." Your Committee finds that when a new utility pole is installed adjacent to an existing utility pole for the purpose of transferring electric, telephone, cable, or other wires from one pole to another, the original pole is often left in place, resulting in what is referred to as double poles. There are thousands of derelict utility poles, double poles, and utility lines abandoned across Hawaii neighborhoods. The removal of unnecessary and unsightly derelict lines and poles will eliminate potential public hazards, organize communication and utility pole lines, and favorably influence the surrounding community. This measure therefore requests the PUC to adopt provisions of the National Electrical Safety Code in order to expedite the removal of unused poles.

Your Committee notes the concerns raised in testimony that administrative rule making can be a lengthy process and that opening a new proceeding to address the issue of double poles would be more expedient. Accordingly, amendments to this measure are necessary to address these concerns.

Therefore, your Committee has amended this measure by:

- (1) Replacing language urging the PUC to adopt administrative rules relating to the removal of abandoned lines, double poles, and equipment with language urging the PUC to open a new proceeding relating to the removal of abandoned lines, double poles, and equipment;
- (2) Deleting language urging the PUC to adopt updated provisions of the National Electrical Safety code;
- (3) Inserting language requesting the PUC to submit a status report of the new proceeding to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024;
- (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 Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 41, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 41, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1956 Housing on H.C.R. No. 179**

The purpose and intent of this measure is to reaffirm the Legislature's commitment to increase the State's affordable housing stock by not allocating special purpose revenue bonds and discouraging the use of special purpose revenue bonds.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Affordable Housing Connections, LLC.

Your Committee finds that the State is facing a housing shortage and it must support and facilitate the production and maintenance of available affordable housing. Your Committee recognizes that, while Low-Income Housing Tax Credits are not subject to a volume cap, they must be used in conjunction with private activity bond financing. Your Committee further recognizes that the combination of federal and state Low-Income Housing Tax Credits and private activity bonds allows developers to feasibly build rental housing projects for households at or below sixty percent of the area median income. Additionally, private activity bonds, which are capped by the federal government each year, have been the primary financing source of affordable housing. While special purpose revenue bonds (SPRBs) have no cap, some are subject to the private activity bond volume cap, which can divert much needed private activity bond financing and hinder the ability of developers to build affordable housing projects in the State. In recognition of this situation, the Legislature enacted Act 182, Session Laws of Hawaii 2022, which establishes a moratorium on the issuance of SPRBs, unless requested by the Governor. This measure seeks to reaffirm the Legislature's commitment to allow the maximum amount of private activity bonds to be used to address the State's ongoing housing crisis.

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. 179, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1957 Housing on H.C.R. No. 178**

The purpose and intent of this measure is to request that the University of Hawaii, in consultation with the Hawaii Housing Finance and Development Corporation or any other appropriate state agency, conduct a feasibility study on redeveloping lands situated at tax map parcel (TMK) (1) 2-8-015:001 into workforce housing and other affiliated uses.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and one individual. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that the University of Hawaii System is currently planning to redevelop some of its real estate, including TMK (1) 2-8-015:001, which is the current location of the College of Education, the former location of the Public Broadcasting Station, the University Laboratory (Charter) School, and the University of Hawaii at Manoa Childcare Center. According to testimony received by your Committee, the University of Hawaii has already been looking to relocate university facilities on TMK (1) 2-8-015:001, and is considering the development of housing on the parcel, as it would benefit the University, surrounding neighborhood, and the State. This measure accordingly helps advance the State in its efforts to address its ongoing housing crisis, especially the need for workforce housing.

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. 178, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1958 Labor and Technology on H.C.R. No. 58**

The purpose and intent of this measure is to request the Department of Labor and Industrial Relations to complete a comparative study of its policies on youth employment and federal requirements for youth employment under the Fair Labor Standards Act.

Your Committee received testimony in support of this measure from HawaiiKidsCan, Hawaii Work-Based Learning Policy Hui, Chamber of Commerce Hawaii, and one individual. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that the feasibility study requested by this measure is intended to broaden work-based opportunities for students in the State. Your Committee further finds that not only do certain work-based learning opportunities provide students with exposure and experience to later obtain high-quality, high-paying jobs, but they can also give certain employers the chance to recruit and grow their workforce through mentoring and training the next generation of workers. According to testimony received by your Committee, the Department of Labor and Industrial Relations does not currently have the capacity to take on additional responsibilities. This measure is necessary to determine how to best support career readiness experiences shared between students, employers, and other stakeholders.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that:
  - (A) States that resources exist across the State for students to participate in public and private work-based learning opportunities;
  - (B) Requests the Department of Labor and Industrial Relations to examine policies that will broaden work-based learning opportunities for students;
  - (C) Requests that the Department of Labor and Industrial Relations report on what practices and policies would enable the State to streamline access to work-based learning opportunities that provide students with advantages in the Hawaii job market; and
  - (D) Encourages the Department of Labor and Industrial Relations to work with partners, such as Hawaii P-20 and Chamber of Commerce Hawaii, for additional research capacity and support, if needed;
- (2) Updating the list of certified copy recipients to include the Executive Director of the Workforce Development Council;
- (3) Amending the 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 Labor and Technology that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 58, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 58, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Lee).

**SCRep. 1959 Labor and Technology on H.C.R. No. 61**

The purpose and intent of this measure is to request the Hawaii Labor Relations Board to establish objective standards and criteria for splitting off a group of state workers into a new bargaining unit to assist the Legislature in determining the appropriateness of requests that come before it.

Your Committee received testimony in support of this measure from United Public Workers, AFSCME Local 646, AFL-CIO and one individual. Your Committee received comments on this measure from the Hawaii Labor Relations Board and one individual.

Your Committee finds that since the Legislature established thirteen statutorily defined collective bargaining units in 1970, only two additional collective bargaining units have been created. This measure seeks to establish objective standards and criteria that protect the rights and working conditions of public workers in the State so that the Legislature can appropriately evaluate measures that request the creation of additional bargaining units.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 61, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Lee).

**SCRep. 1960 Transportation and Culture and the Arts on Gov. Msg. Nos. 570 and 571**

Recommending that the Senate advise and consent to the nominations of the following:

MEDICAL ADVISORY BOARD

G.M. No. 570 BERTRAM PROVIDENCE, MD, for a term to expire 06-30-2027; and

G.M. No. 571 BRENT BURROUGHS, MD, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Bertram Providence and Brent Burroughs for service on the Medical Advisory Board.

BERTRAM PROVIDENCE

Your Committee did not receive any testimony on the nomination for the appointment of Bertram Providence.

Your Committee finds that Dr. Providence's experience and knowledge qualify him for appointment to the Medical Advisory Board. A lifelong public servant, Dr. Providence served in the United States Army Medical Corps for twenty-seven years, attaining the rank of Brigadier General. Dr. Providence currently serves a board-certified orthopedic surgeon at Tripler Army Medical Center and Chief of Orthopedic Surgery Service at the Veterans Affairs Medical Center in Honolulu. In addition to his role as a medical professional, Dr. Providence also serves as an Adjunct Professor of Surgery at the Uniformed Services University in Bethesda, Maryland, educating the next generation of surgeons across the United States. Based on Dr. Providence's varied experiences in the field of surgery and orthopedics, his knowledge and experience will provide a unique perspective to the Medical Advisory Board. Your Committee therefore recommends that Bertram Providence be appointed to the Medical Advisory Board based on his experience, knowledge, and commitment to public service.

BRENT BURROUGHS

Your Committee did not receive any testimony on the nomination for the appointment of Brent Burroughs.

Your Committee finds that Dr. Burroughs' experience and knowledge qualify him for appointment to the Medical Advisory Board. Dr. Burroughs is a board-certified neurologist with over twenty years of experience. Before moving to Hawaii, Dr. Burroughs served as a neurologist in private practice while also assisting with the comprehensive stroke program at Legacy Meridian Park in Oregon. Presently, Dr. Burroughs serves as a Neurologist at Queen's Medical Center - West Oahu, managing the hospital's neurology inpatient and outpatient services. In addition to his work as a neurologist, Dr. Burroughs serves as a member of the West Physician Executive Council, the Queen's Medical Center - West Oahu's physician leadership board. Your Committee further finds that Dr. Burroughs understands the roles and responsibilities of board members and that his experience and knowledge will provide a unique perspective to the Medical Advisory Board. Your Committee therefore recommends that Brent Burroughs be appointed to the Medical Advisory 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 Transportation and 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 (Inouye).

**SCRep. 1961 Transportation and Culture and the Arts on Gov. Msg. No. 573**

Recommending that the Senate advise and consent to the nomination of the following:

STATE FOUNDATION ON CULTURE AND THE ARTS

G.M. No. 573 JANET SATO, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Janet Sato for service on the State Foundation on Culture and the Arts.

Your Committee received testimony in support of the nomination for the appointment of Janet Sato from the State Foundation on Culture and the Arts and seven individuals.

Upon review of the testimony, your Committee finds that Ms. Sato's experience and knowledge qualify her for appointment to the State Foundation on Culture and the Arts. Ms. Sato recently retired from the Department of Education, serving as a visual arts instructor for over thirty years at H.P. Baldwin High School in Wailuku, Maui. As an active member of her community, Ms. Sato was instrumental in the State Foundation on Culture and the Arts' Artists-in-the-Schools program National Portfolio Day. Additionally, Ms. Sato also encouraged her visual arts students in competitions across the State and the United States, such as the Hawaii Regional Scholastic Art and Photography Exhibition and Kaha Ki'i Congressional Art Competition. Your Committee further finds that Ms. Sato's extensive experience in the visual art community will be assets to the State Foundation on Culture and the Arts. Your Committee therefore recommends that Janet Sato be appointed to the State Foundation on Culture and the Arts based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Transportation and 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, 5. Noes, none. Excused, none.

**SCRep. 1962 Transportation and Culture and the Arts on H.C.R. No. 133**

The purpose and intent of this measure is to urge the Department of Transportation to conduct a study to establish safe routes to school.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that transformative change of Hawaii's transportation routes to prioritize walking, rolling, bicycling, and public transit will allow the State to achieve its transportation, public health, education, and clean energy goals. Creating complete, safe routes to schools for Hawaii's students provides safe, convenient, and accessible routes to ensure every student has an opportunity to attend classes without the fear of serious injuries. However, decades of automobile-centric planning and development has created formidable barriers to creating complete, safe, and comfortable bicycle and pedestrian networks. This measure promotes the health and safety of Hawaii's students, including those in rural and low socioeconomic communities, while also prioritizing infrastructure improvements to provide alternative transportation routes and modes.

Your Committee has amended this measure by:

- (1) Deleting language that would have urged the Department of Transportation to conduct a study to establish safe routes to school;
- (2) Inserting language that urges the Department of Transportation to establish safe routes to school in Waipahu;
- (3) Deleting language that would have required the Department of Transportation to submit a report to the Legislature;
- (4) Inserting language that requests the Department of Transportation, in consultation with the Department of Transportation Services of the City and County of Honolulu, to consider the construction of raised sidewalks and safer crossings in the Waipahu area;
- (5) Adding the Director of Transportation Services of the City and County of Honolulu 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.

As affirmed by the record of votes of the members of your Committee on Transportation and Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 133, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 133, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1963 (Majority) Judiciary on H.C.R. No. 74**

The purpose and intent of this measure is to encourage the facilitation of a path to citizenship for immigrants from parties to the Compacts of Free Association.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Hawai'i Civil Rights Commission. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Compacts of Free Association (COFA) are a series of treaties between the United States, the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands. Your Committee finds that COFA allows citizens of Micronesia to live and legally work in the United States without visas as "non-immigrants". While citizens of COFA nations present in the United States are eligible to receive some social and health services that other immigrants and United States

citizens can receive, they are ineligible for other services, including Medicaid. Under United States immigration law there is no path to United States citizenship for citizens of COFA nations. This measure encourages the creation of a path to citizenship for citizens of COFA nations.

Your Committee has amended this measure by clarifying its legislative findings.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 74, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 74, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1964      Judiciary on H.C.R. No. 72**

The purpose and intent of this measure is to urge the Office of Youth Services and Family Court of the First Judicial Circuit to collaborate in identifying processes, procedures, and strategies for partnering with community organizations to maximize rehabilitation and minimize recidivism for juvenile offenders.

Your Committee received testimony in support of this measure from the Judiciary, Office of Youth Services, Hawai'i Youth Services Network, Policy Advocacy Clinic at Berkeley Law, American Civil Liberties Union of Hawai'i, and one individual.

Your Committee finds that children of Micronesian or Native Hawaiian ancestry and other Pacific Island youth are overrepresented in the State's juvenile justice system. Intergenerational trauma, cultural disconnection, homelessness, and other factors can drive and contribute to a high disparity in such juvenile offenders. Studies have shown that youth who are connected to their culture and community are more successful and less likely to become involved in the juvenile justice system. This measure will encourage the Office of Youth Services and Family Court of the First Judicial Circuit to work with community organizations to identify ways to reduce the overrepresentation of Pacific Islander and other marginalized youths within the juvenile justice 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 H.C.R. No. 72, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1965      Judiciary on H.C.R. No. 87**

The purpose and intent of this measure is to request the Office of Elections to prepare and submit a proposal to the Legislature on the cost and personnel required to prepare and distribute a voter information guide.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Elections.

Your Committee finds that the public needs access to information on candidates for elected office and ballot questions in a clear, standardized format. There is increasing demand for access to information in a digital format. Voters with special-needs require adaptive technology to access digital information, and voters may require ballot information to be made available in their native language. This measure will encourage the Office of Elections to prepare to provide voters with candidate information in a printed format, digital format, and screen reader-accessible format for voters with special needs who are unable to read standard print due to disability, and a translation of the digital voter information in various languages.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 87, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1966      Judiciary on H.C.R. No. 200**

The purpose and intent of this measure is to urge the President of the United States to publish the Equal Rights Amendment as the Twenty-eighth Amendment to the Constitution of the United States.

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 finds that Article V of the Constitution of the United States sets forth a two-step amending procedure. The first step of the Article V amending procedure is the proposal of an amendment either by two-thirds vote of both houses of Congress or by a convention called by application of two-thirds of the states. In 1972, the ninety-second Congress of the United States, at its second session, in both houses, by a constitutional majority of two-thirds, adopted the Equal Rights Amendment. The second and final step of the Article V amending procedure is ratification of an amendment by three-fourths of the states. As of January 27, 2020, three-fourths of the states have ratified the Equal Rights Amendment. The Equal Rights Amendment now meets the strict requirements of Article V of the Constitution of the United States and should be added as the Twenty-eighth Amendment with no further delay.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 200, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1967 (Joint) Judiciary and Hawaiian Affairs on H.C.R. No. 108**

The purpose and intent of this measure is to urge the establishment of a Native Hawaiian Intellectual Property Working Group to discuss policies and legislation with respect to Native Hawaiian intellectual property.

Your Committees received testimony in support of this measure from one member of the Hawai'i County Council, Council for Native Hawaiian Advancement, and eleven individuals. Your Committees received comments on this measure from one individual.

Your Committees find that Native Hawaiian people's collective intellectual property rights are based upon the traditional, cultural knowledge developed over thousands of years and passed down from generation to generation. Your Committees further find that the laws of the State do not expressly recognize and protect the collective intellectual property rights of the Native Hawaiian peoples. This measure will establish a Native Intellectual Property Working Group to address that issue.

Your Committees have amended this measure by:

- (1) Adding the Association of Hawaiian Civic Clubs to the Native Intellectual Property Working Group;
- (2) Specifying that a majority of the members, rather than a consensus, can include additional Native Hawaiian organizations;
- (3) Changing the report submission deadline to forty days prior to the Regular Session of 2025; 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 Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 108, H.D. 1, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 108, H.D. 1, S.D. 1.

Signed by the Chair and President on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, none.

Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Shimabukuro).

**SCRep. 1968 Agriculture and Environment on H.C.R. No. 107**

The purpose and intent of this measure is to urge the City and County of Honolulu to exempt from real property tax those property owners of residential units within one-half mile of an active municipal solid waste landfill or construction and demolition landfill or deemed to have been impacted by an active landfill to a degree that warrants such an exemption.

Your Committee received testimony in support of this measure from the Iron Workers Stabilization Fund; International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers; Hydroponics Alternatives, LLC; and six individuals.

Your Committee finds that landfills are hazardous to human health and that communities in West Oahu have been subjected to these hazards for decades. The community members and their families in the two census tracts abutting the PVT Landfill operated in Nanakuli have been especially impacted by the attributed pollution in the area, and live approximately ten years less than the state average of eighty-two years, being the second and third lowest life expectancies in Hawaii. Your Committee acknowledges that every community in Hawaii is entitled to a clean and healthful environment and that the overreliance on landfills and consumer-based solid waste accumulation is unsustainable and detrimental to the health of residents and the environment of the State. However, your Committee further recognizes that the critical statewide waste-related infrastructure changes will require immense planning, funding, and political support over time, which can each be slow to acquire and fickle by nature. In the meantime, the State must do what it can to alleviate the immediately hazardous and deleterious ailments that afflict residents near landfills on Oahu. Therefore, this measure urges the City and County of Honolulu to provide a real property tax exemption for those residents living within a certain distance of an active landfill and in areas that the City and County deems to be impacted by landfill operations. While this exemption does not resolve the overarching issue, it is intended to reduce the burdens of a polluted environment by financially empowering residents to improve their health and well-being as they see fit.

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. 107, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1969 Judiciary on H.C.R. No. 51**

The purpose and intent of this measure is to urge the Governor to initiate a clemency program for individuals who have been prosecuted for cannabis-related offenses.

Your Committee received testimony in support of this measure from the Last Prisoner Project, Drug Policy Forum of Hawaii, American Civil Liberties Union of Hawai'i, Marijuana Policy Project, and nine individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the war on drugs has been found to be destructive and devastating to immigrant, indigenous, and low-income individuals, families, and communities. Mass incarceration is significantly worsened by the war on drugs, which includes the criminalization of cannabis possession. The prosecution of cannabis offenses has deprived people of accessing higher education, housing, employment, individual liberty, and the right to vote. This measure requests the initiation of a clemency program for individuals who have been prosecuted for cannabis-related offenses, which will eliminate barriers for thousands of people seeking employment, housing, and educational opportunities who would have otherwise been ineligible.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 51, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1970 Public Safety and Intergovernmental and Military Affairs on H.C.R. No. 86**

The purpose and intent of this measure is to request the Legislative Reference Bureau to report on systems of firearms insurance and other financial responsibility requirements pertaining to firearms.

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 two individuals. Your Committee received comments on this measure from the Legislative Reference Bureau and the Department of Commerce and Consumer Affairs' Insurance Division.

Your Committee finds that in recent years, legislation has been introduced or considered in a number of states, including Hawaii, that would establish systems of mandatory firearms insurance or other financial responsibility requirements. Your Committee believes that systems of insurance and other financial responsibility requirements can, in some contexts, play an important role by facilitating compensation for injured persons and reducing risks by encouraging safer behavior. This measure will help to facilitate further study and consideration of the rapidly evolving policy area of firearms insurance and other financial responsibility requirements pertaining to firearms.

Your Committee has amended this measure by:

- (1) Limiting the scope of the Legislative Reference Bureau's summary of relevant firearm insurance laws and other financial responsibilities on firearms to insurance laws that other states may be enacting;
- (2) Clarifying that the Insurance Commissioner is requested to provide an analysis of the types of firearm insurance policies offered in other states, which entities are offering those policies, and the pricing of those 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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 86, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 86, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1971 Judiciary on H.C.R. No. 88**

The purpose and intent of this measure is to request the Judiciary to prepare a master development plan for the South Kohala District Court complex, including a capitol improvement project request, to upgrade the South Kohala District Court.

Your Committee received no testimony on this measure.

Your Committee finds that Waimea needs a bigger district court complex, a District Court Judge, and Circuit Court Judge to serve the large geographical area and its growing population. The current complex does not have adequate seating capacity, and people often must wait outside; some days as many as fifty individuals are forced to wait outside. This serious lack of judiciary facilities in South Kohala can only be remedied by an objective evaluation of the demand for these facilities and a determination of how these needs can be met. This evaluation and analysis would provide the necessary information to prepare a master development plan to upgrade the South Kohala District Court complex. This measure will encourage the Judiciary to prepare a plan to resolve the problems related to the lack of space for court staff and users, courthouse security improvements, and access.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 88, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, none.

**SCRep. 1972 Health and Human Services on Gov. Msg. Nos. 594, 595, 612, and 629**

Recommending that the Senate advise and consent to the nominations of the following:

STATE COUNCIL ON MENTAL HEALTH

- G.M. No. 594 KRISTIN WILL, for a term to expire 06-30-2026;
- G.M. No. 595 HEIDI ILYAVI, for a term to expire 06-30-2026;
- G.M. No. 612 JOHN BETLACH, for a term to expire 06-30-2026; and
- G.M. No. 629 MARY WATERHOUSE, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Kristin Will, Heidi Ilyavi, John Betlach, and Mary Waterhouse for service on the State Council on Mental Health.

KRISTIN WILL

Your Committee received testimony in support of the nomination for the appointment of Kristin Will from the Department of Health.

Upon review of the testimony, your Committee finds that Ms. Will's professional experience, knowledge, and dedication to serving others qualify her for appointment to the State Council on Mental Health as a member representing the principal state agency with

respect to criminal justice. Ms. Will holds a Master's degree in Clinical Psychology with a specialization in Forensic Psychology and is a state Certified Substance Abuse Counselor. Since 2018, Ms. Will has worked with individuals with serious and persistent mental illness as a social worker within the Mental Health Unit of the Judiciary. In 2021, she assumed the roles of Mental Health Unit Supervisor and Mental Health Court Coordinator for the Judiciary's Mental Health Court Program. Prior to her work with the Judiciary, Ms. Will served as a Substance Abuse Counselor at the Kalihi Branch of the YMCA of Honolulu, where she provided substance use treatment, counseling, and education to youth. Your Committee notes that Ms. Will has served as an interim member of the State Council on Mental Health since July 2022, and her knowledge of the legal system as it pertains to mental health will continue to be invaluable to the Council's work. Your Committee therefore recommends that Kristin Will be appointed to the State Council on Mental Health based on her experience and passion for helping individuals with mental illness and substance abuse disorders.

#### HEIDI ILYAVI

Your Committee received testimony in support of the nomination for the appointment of Heidi Ilyavi from the Department of Health.

Upon review of the testimony, your Committee finds that Ms. Ilyavi's background, knowledge, and desire to serve her community qualify her for appointment to the State Council on Mental Health as a member representing families of children with serious emotional disturbances. Ms. Ilyavi currently serves as a Parent Partner with Child and Family Service, where she works directly with families caring for youth with emotional and behavioral challenges to help them learn new skills, access resources, advocate for themselves, and navigate state systems and agencies. Further, as a parent of a child with mental health issues, she brings personal experience of the needs, resources, and service gaps of the behavioral health support system. Your Committee notes that Ms. Ilyavi has served on the State Council on Mental Health since 2020. During her tenure, Ms. Ilyavi has advocated for increasing the living wage for mental health workers and the more effective use of data to improve mental health services. Your Committee finds that Ms. Ilyavi's experience and knowledge will continue to be assets to the Council and therefore recommends that Heidi Ilyavi be appointed to the State Council on Mental Health based on her personal and professional experience, proven advocacy, and commitment to serving youth with mental health issues.

#### JOHN BETLACH

Your Committee received testimony in support of the nomination for the appointment of John Betlach from the Department of Health.

Upon review of the testimony, your Committee finds that Mr. Betlach's knowledge, experience, and desire to serve the community qualify him for appointment to the State Council on Mental Health as a member representing the Hawaii Service Area Board on Mental Health and Substance Abuse. Mr. Betlach holds a Master of Business Administration and a Master's degree in Holistic Health Education with a focus on body-oriented psychotherapy and cultural differences. For nearly forty years, Mr. Betlach has served as a Health and Wellness Coach, educating individuals on holistic healing methods and how to develop resiliency in times of crisis. As an experienced clinical professional, Mr. Betlach has provided direct care, treatment, intervention, case management, and counseling in both inpatient and outpatient settings, including as a psychiatric technician at a home for children who were sexually abused, suicidal, and chemically dependent. Your Committee notes that Mr. Betlach currently serves as an interim member of the State Council on Mental Health, and his knowledge and experience will continue to be of great value to the Council. Your Committee therefore recommends that John Betlach be appointed to the State Council on Mental Health based on his experience, expertise, and passion for serving those in need.

#### MARY WATERHOUSE

Your Committee received testimony in support of the nomination for the appointment of Mary Waterhouse from the Department of Health; Hawaii Disability Rights Center; The Institute for Human Services, Inc.; and one individual.

Upon review of the testimony, your Committee finds that Ms. Waterhouse's proven leadership, experience, and commitment to public service qualify her for appointment to the State Council on Mental Health as a member representing families of adults with serious mental illnesses who are receiving, or have received, mental health services. Ms. Waterhouse holds a Master's degree in Health Administration, and since retiring from a career in fiscal management in 2009, she has dedicated herself to addressing mental health issues throughout the State. Ms. Waterhouse currently serves as the Vice President of the Hawaii Disability Rights Center and the Board of Directors of Mental Health America of Hawaii. Ms. Waterhouse also formerly served as a Board Member and President of the State's Protection and Advocacy for Individuals with Mental Illness Program. Your Committee notes that Ms. Waterhouse has served as an interim member of the State Council on Mental Health since July 2022, where she has demonstrated a deep understanding of the legislative process and commitment to improving Hawaii's mental health laws. Your Committee therefore recommends that Mary Waterhouse be appointed to the State Council on Mental Health based on her experience, leadership, and dedication to improving mental health in the State.

As affirmed by the records of votes of the members of your Committee on Health and 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.

For Gov. Msg. No. 594: Ayes, 4. Noes, none. Excused, 1 (Awa).

For Gov. Msg. Nos. 595, 612, and 629: Ayes, 5. Noes, none. Excused, none.

#### **SCRep. 1973 Health and Human Services on Gov. Msg. Nos. 604 and 605**

Recommending that the Senate advise and consent to the nominations of the following:

#### HEALTH PLANNING COUNCIL, HAWAII COUNTY SUBAREA

G.M. No. 604 JAMIE CAMEROS, for a term to expire 06-30-2023; and

G.M. No. 605 JAMIE CAMEROS, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Jamie Cameros for service on the Health Planning Council, Hawaii County Subarea.

Your Committee received testimony in support of the nomination for the appointment and reappointment of Jamie Cameros from the State Health Planning and Development Agency.

Upon review of the testimony, your Committee finds that Ms. Cameros' knowledge, experience, and desire to serve her community qualify her for appointment and reappointment to the Health Planning Council, Hawaii County Subarea. Ms. Cameros holds a Bachelor's degree in Business Administration from the University of Hawaii at Manoa. She has worked for Kaiser Permanente for over thirty years and currently serves as a Senior Project Manager, where she oversees program administration, process improvement, and regulatory compliance. In addition to having substantial knowledge of the health care industry and the state health system, Ms. Cameros also holds great expertise in processes and procedures pertaining to Certificates of Need. During the course of her career with Kaiser Permanente, Ms. Cameros has been responsible for all Certificate of Need functions and helped revise the applicable state statutes and administrative rules pertaining to the certificates. This direct experience will prove invaluable to the work of the Health Planning Council, Hawaii County Subarea, which advises the State Planning and Development Agency in the administration of the Certificate of Need Program for Hawaii County. Your Committee notes that Ms. Cameros previously served on the State Planning Council, Hawaii County Subarea, from 2002 to 2006, has been serving as an interim member since 2022, and has a thorough understanding of the roles and responsibilities of the Council's members. Your Committee therefore recommends that Jamie Cameros be appointed and reappointed to the Health Planning Council, Hawaii County Subarea, based on her professional experience and expert knowledge of the state health system.

As affirmed by the records of votes of the members of your Committee on Health and Human Services 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, 5. Noes, none. Excused, none.

**SCRep. 1974 Health and Human Services on Gov. Msg. Nos. 559 and 572**

Recommending that the Senate advise and consent to the nominations of the following:

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

G.M. No. 559 JOHN BEEBE, for a term to expire 06-30-2026; and

G.M. No. 572 JAMES LABRIE, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by John Beebe and James LaBrie for service on the State Council on Developmental Disabilities.

JOHN BEEBE

Your Committee received testimony in support of the nomination for the appointment of John Beebe from the State Council on Developmental Disabilities.

Upon review of the testimony, your Committee finds that Mr. Beebe's experience, knowledge, and proven leadership qualify him for appointment to the State Council on Developmental Disabilities as a member representing parents of individuals with developmental disabilities. Mr. Beebe is a Commander in the United States Coast Guard and has served as President and Chief Executive Officer of Celestial Payments since 2012. As demonstrated by an extensive executive management career and the successful founding of Global eTelecom, Inc. (now Sage Group, PLC), Mr. Beebe possesses strong diplomatic and relationship building skills, creativity, and positive energy, which will assist the State Council on Developmental Disabilities to develop and adopt the State Plan for Individuals with Developmental Disabilities. Further, as a parent of children with disabilities, Mr. Beebe brings personal experience of the needs, resources, and service gaps of public and private agencies that provide services to individuals with disabilities. Your Committee notes that Mr. Beebe has served on the State Council on Developmental Disabilities since 2019 and currently serves as the Council's chair. Therefore, your Committee recommends that John Beebe be appointed to the State Council on Developmental Disabilities based on his proven leadership, experience, and commitment to improving the lives of individuals with disabilities.

JAMES LABRIE

Your Committee received testimony in support of the nomination for the appointment of James LaBrie from the State Council on Developmental Disabilities and two individuals.

Upon review of the testimony, your Committee finds that Mr. LaBrie's background, experience, and desire to serve his community qualify him for appointment to the State Council on Developmental Disabilities as a member representing individuals with developmental disabilities. As an individual with personal experience in receiving services from the Department of Health's Developmental Disabilities Services Division and residing in over twenty foster homes, Mr. LaBrie brings critical insight to the development of policies for home and community-based services for residents with disabilities. A dedicated advocate for individuals with disabilities, Mr. LaBrie contributes to the state Self-Advocacy Advisory Council to empower other individuals with disabilities to advocate on behalf of themselves. Your Committee further finds that Mr. LaBrie's commitment to caring for and uplifting others extends beyond the disability community through his volunteer work with Kids Hurt Too Hawaii, Reunion Hawaii Church, and Tekniqlingz. Your Committee notes that Mr. LaBrie has a thorough understanding of the role and responsibilities of Council members, and his personal experience advocating for himself and other individuals with disabilities will contribute an important perspective to the Council. Your Committee therefore recommends that James LaBrie be appointed to the State Council on Developmental Disabilities based on his knowledge, background, and passion for advocating for individuals with disabilities.

As affirmed by the records of votes of the members of your Committee on Health and 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.

For Gov. Msg. No. 559: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Awa).

For Gov. Msg. No. 572: Ayes, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1975 Health and Human Services on Gov. Msg. Nos. 664, 665, and 666**

Recommending that the Senate advise and consent to the nominations of the following:

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

G.M. No. 664 MARY BROGAN, for a term to expire 06-30-2027;

G.M. No. 665 DEBORAH KOBAYAKAWA, for a term to expire 06-30-2027; and

G.M. No. 666 ALANA SOUZA, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Mary Brogan, Deborah Kobayakawa, and Alana Souza for service on the State Council on Developmental Disabilities.

MARY BROGAN

Your Committee received testimony in support of the nomination for the reappointment of Mary Brogan from the Department of Human Services; State Council on Developmental Disabilities; Hilopa'a Family to Family, Inc.; and one individual.

Upon review of the testimony, your Committee finds that Dr. Brogan's knowledge, leadership, and commitment to serving the people of the State qualify her for reappointment to the State Council on Developmental Disabilities as a member representing state entities that administer funds provided under federal law relating to individuals with disabilities. Dr. Brogan earned a Master of Education in Counseling and Guidance and a Doctorate in Social Welfare and Educational Administration. Dr. Brogan has worked within the disabilities field for over twenty-five years and currently serves as the Administrator of the Developmental Disabilities Division of the Department of Health. Prior to that, Dr. Brogan served as a Performance Improvement Coordinator for the Department's Behavioral Health Administration. In addition to her leadership within state agencies, Dr. Brogan is involved in disability policy at the national level, serving as President of the Board of Directors of the National Association of State Directors of Developmental Disabilities Services. Your Committee notes that Dr. Brogan has served on the State Council on Developmental Disabilities since 2018, and her deep understanding of the systems that serve individuals with disabilities is instrumental to the Council's work. Your Committee therefore recommends that Mary Brogan be reappointed to the State Council on Developmental Disabilities based on her expertise, experience, and dedication to serving individuals with disabilities.

DEBORAH KOBAYAKAWA

Your Committee received testimony in support of the nomination for the reappointment of Deborah Kobayakawa from the State Council on Developmental Disabilities and one individual.

Upon review of the testimony, your Committee finds that Ms. Kobayakawa's experience, advocacy, and desire to serve qualify her for reappointment to the State Council on Developmental Disabilities as a member representing parents of individuals with developmental disabilities. As a parent of a child with developmental disabilities, Ms. Kobayakawa is passionate about helping families navigate the complex systems of care that serve individuals with disabilities. Currently, Ms. Kobayakawa owns and operates an independent consulting practice, Heart to Heart Parent Consulting, where she equips parents with the skills needed to advocate for their children within the Department of Education and Department of Health's Developmental Disabilities Division. In addition to providing independent services, Ms. Kobayakawa also facilitates support groups for parents of individuals on the autism spectrum as a Group Facilitator with Ho'omana Parent Support Group. Your Committee further finds that Ms. Kobayakawa's deep understanding of state systems of care is rooted in more than a decade of service as a Special Education Teacher with the Department of Education. Your Committee notes that Ms. Kobayakawa has served on the State Council on Developmental Disabilities since 2020, including as Chair for two years, and her personal experience and insight provide critical contributions to the Council's work. Your Committee therefore recommends Deborah Kobayakawa be reappointed to the State Council on Developmental Disabilities based on her background, knowledge, and passion for supporting families of persons with disabilities.

ALANA SOUZA

Your Committee received testimony in support of the nomination for the reappointment 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 knowledge, professional experience, and record of public service qualify her for reappointment to the State Council on Developmental Disabilities as a member representing state entities that administer funds provided under federal law relating to individuals with disabilities, including title XIX of the Social Security Act. Ms. Souza holds a Bachelors of Social Work and is currently pursuing a Masters of Social Work. She has gained extensive experience within the disabilities field over the past decade, including serving as a social worker for the Department of Health's Developmental Disabilities Division and in her current role as a social worker for the Department of Human Services' Med-QUEST Division, where she reviews applications for the state Medicaid Home and Community-Based Waiver Program, among other responsibilities. Your Committee notes that Ms. Souza has served on the State Council on Developmental Disabilities since 2022, and her knowledge of the state's QUEST Integration Program and experience working with individuals with disabilities receiving QUEST Integration benefits have been beneficial to the Council's work on improving access to health care services for individuals with disabilities. Your Committee therefore recommends that Alana Souza be reappointed to the State Council on Developmental Disabilities based on her experience, expertise, and dedication to serving the people of the State.



As affirmed by the records of votes of the members of your Committee on Health and 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. 1976 Health and Human Services on Gov. Msg. Nos. 553 and 555**

Recommending that the Senate advise and consent to the nominations of the following:

STATE REHABILITATION COUNCIL

G.M. No. 553 JUDY GUAJARDO, for a term to expire 06-30-2025; and

G.M. No. 555 HOWARD LESSER, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Judy Guajardo and Howard Lesser for service on the State Rehabilitation Council.

JUDY GUAJARDO

Your Committee received testimony in support of the nomination for the appointment of Judy Guajardo from the Department of Human Services.

Upon review of the testimony, your Committee finds that Ms. Guajardo's professional experience, background, and desire to serve her community qualify her for appointment to the State Rehabilitation Council as a member representing Maui County and the Statewide Independent Living Council. Since 2014, Ms. Guajardo has been a Volunteer Coordinator at Nā Hoaloaha, a nonprofit organization that provides care to seniors and individuals with disabilities in the County of Maui. Ms. Guajardo is also an active member in her community and currently serves as the Chair of the Statewide Independent Living Council of Hawaii, whose mission is to promote independent living and integration of persons with disabilities into the community, including assisting them in obtaining equal access to employment, social, economic, and political opportunities.

Your Committee finds that Ms. Guajardo's understanding of the needs of individuals with disabilities, knowledge on available resources and programs, expertise in assisting and advocating for individuals with disabilities, and dedication to public service will be great assets to the State Rehabilitation Council. Your Committee therefore recommends that Judy Guajardo be appointed to the State Rehabilitation Council based on her background, knowledge, and desire to contribute to the community.

HOWARD LESSER

Your Committee received testimony in support of the nomination for the reappointment of Howard Lesser from the Department of Human Services and Hawaii Disability Rights Center.

Upon review of the testimony, your Committee finds that Mr. Lesser's experience, commitment to public service, and proven leadership on the State Rehabilitation Council qualify him to be reappointed to the State Rehabilitation Council as a member representing the client assistance program. Mr. Lesser has worked as an advocate for individuals with disabilities for over forty years and has distinguished himself with his dedication to this field. Mr. Lesser is currently a Senior Advocate at the Hawaii Disability Rights Center, which is the State's designated Client Assistance Program.

Your Committee notes that Mr. Lesser has been a member of the State Rehabilitation Council since 2016 and has served in various capacities, including serving as its Chair and Vice-Chair. Your Committee further notes that, although it finds Mr. Lesser to be qualified to serve on the Council, it appears that Mr. Lesser has already served the maximum two consecutive three-year terms allowed pursuant to section 348-8(a), Hawaii Revised Statutes, with no break in service. However, your Committee acknowledges that S.B. No. 313 (2023), which was passed by the Legislature and enrolled to the Governor, addresses this issue by amending section 348-8(a), Hawaii Revised Statutes, to exempt the member representing the Client Assistance Program from the Council's term limit. S.B. No. 313, if enacted as currently written, will take effect upon approval by the Governor.

Your Committee finds that Mr. Lesser's extensive experience and dedication as an advocate for individuals with disabilities, commitment to public service, and proven leadership will continue to contribute greatly to the State Rehabilitation Council. Your Committee therefore recommends that Howard Lesser be reappointed to the State Rehabilitation Council.

As affirmed by the records of votes of the members of your Committee on Health and 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. 1977 Health and Human Services on Gov. Msg. Nos. 606 and 607**

Recommending that the Senate advise and consent to the nominations of the following:

DISABILITY AND COMMUNICATION ACCESS BOARD

G.M. No. 606 TERESA SPINOLA-CAMPBELL, for a term to expire 06-30-2023; and

G.M. No. 607 TERESA SPINOLA-CAMPBELL, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Teresa Spinola-Campbell for service on the Disability and Communication Access Board.

Your Committee received testimony in support of the nomination for the appointment and reappointment of Teresa Spinola-Campbell from the Disability and Communication Access Board.

Upon review of the testimony, your Committee finds that Dr. Spinola-Campbell's knowledge, experience, and desire to serve her community qualify her for appointment and reappointment to the Disability and Communication Access Board as a member representing parents or guardians of persons with disabilities. Dr. Spinola-Campbell holds a Doctorate degree in Sociology from McMaster University, and for thirteen years, Dr. Spinola-Campbell served as the Americans with Disabilities Act (ADA) Coordinator and Equal Opportunity Officer for the Department of Human Resources of the County of Hawaii. As ADA Coordinator and Equal Opportunity Officer, Dr. Spinola-Campbell worked with various community groups and consumers and developed policies and procedures, resolved complaints, and delivered training sessions pertaining to state and federal civil rights laws. Your Committee notes that Dr. Spinola-Campbell has served as an interim member of the Disability and Communication Access Board since November 2022 and, as a caregiver of a person with a disability, brings personal experience advocating for accessibility improvements across the State. Your Committee therefore recommends that Teresa Spinola-Campbell be appointed and reappointed to the Disability and Communication Access Board based on her experience, knowledge, and dedication to increasing accessibility for individuals with disabilities.

As affirmed by the records of votes of the members of your Committee on Health and Human Services 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 positions 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 (Awa).

**SCRep. 1978 Health and Human Services on Gov. Msg. Nos. 560 and 561**

Recommending that the Senate advise and consent to the nominations of the following:

STATEWIDE HEALTH COORDINATING COUNCIL

G.M. No. 560 JENNIE CHAHANOVICH, for a term to expire 06-30-2025; and

G.M. No. 561 JONAGUSTINE LIM, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Jennie Chahanovich and Jonagustine Lim for service on the Statewide Health Coordinating Council.

JENNIE CHAHANOVICH

Your Committee received testimony in support of the nomination for the appointment of Jennie Chahanovich from the State Health Planning and Development Agency and Hawai'i Pacific Health.

Upon review of the testimony, your Committee finds that Ms. Chahanovich's experience, knowledge, and proven leadership qualify her for appointment to the Statewide Health Coordinating Council. Ms. Chahanovich holds a Bachelor of Science in Allied Health Sciences and Health Care Administration and a Master of Business Administration in International Marketing. Since 2002, Ms. Chahanovich has served in numerous health care executive positions within Hawaii Pacific Health's multi-hospital system. Ms. Chahanovich is currently the President and Chief Executive Officer of Wilcox Memorial Hospital and Chief Executive Officer of Kauai Medical Clinic. Ms. Chahanovich also previously served as Chief Executive Officer of Pali Momi Medical Center and Director of Respiratory Care and Rehabilitation Services for Kapiolani Medical Center for Women and Children and Pali Momi Medical Center. In addition to her executive expertise, Ms. Chahanovich brings to the Statewide Health Coordinating Council experience in leadership roles on a number of professional and community boards, including those of the American Heart Association Hawaii Division, Hospice Hawaii, and Hawaii-Pacific Chapter of the American College of Healthcare Executives. Your Committee notes that Ms. Chahanovich has served as a member of the Health Planning Council, Kauai County Subarea, since 2016 and an interim member of the Statewide Health Coordinating Council since 2022. Your Committee therefore recommends that Jennie Chahanovich be appointed to the Statewide Health Coordinating Council based on her leadership experience, expertise, and commitment to public service.

JONAGUSTINE LIM

Your Committee received testimony in support of the nomination for the appointment of Jonagustine Lim from the State Health Planning and Development Agency and Hawai'i Primary Care Association.

Upon review of the testimony, your Committee finds that Mr. Lim's knowledge, experience, and desire to serve his community qualify him to be appointed to the Statewide Health Coordinating Council. Mr. Lim holds a Bachelor of Science in Information and Computer Sciences and a Master of Business Administration. For the past twenty-three years, Mr. Lim has provided consulting, project management, and computer networking support services to government, nonprofit, and private entities, including those within the health care industry, and currently serves as President of LimPacific, Inc. Mr. Lim's expertise in the field of information technology will strengthen the work of the Statewide Health Coordinating Council, given the importance of accessible and secure electronic health information in the health care field. In addition to his professional career, Mr. Lim also regularly volunteers, including with Waianae CARE, Inc. and Aloha Medical Mission. Mr. Lim was also selected as a Pacific Century Fellow, Class of 2009. Your Committee notes that Mr. Lim previously served on the Statewide Health Coordinating Council from 2016 to 2020, serving as both Chair and Vice Chair, and has served as an interim member of the Council since July 2022. Your Committee therefore recommends that Jonagustine Lim be appointed to the Statewide Health Coordinating Council based on his proven leadership, background, and dedication to serving the community.

As affirmed by the records of votes of the members of your Committee on Health and 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, 4. Noes, none. Excused, 1 (Awa).

**SCRep. 1979 (Majority) Health and Human Services on Gov. Msg. Nos. 556 and 557**

Recommending that the Senate advise and consent to the nominations of the following:

HEALTH PLANNING COUNCIL, TRI-ISLE SUBAREA

G.M. No. 556 FRANCINE JOHANSEN, for a term to expire 06-30-2026; and

G.M. No. 557 ROBERT SHRODER, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Francine Johansen and Robert Shroder for service on the Health Planning Council, Tri-Isle Subarea.

FRANCINE JOHANSEN

Your Committee received testimony in support of the nomination for the appointment of Francine Johansen from the State Health Planning and Development Agency.

Upon review of the testimony, your Committee finds that Ms. Johansen's knowledge, experience, and passion for serving her community qualify her for appointment to the Health Planning Council, Tri-Isle Subarea. Ms. Johansen has been a registered nurse in Hawaii since 2013 and currently works as a Health Care Coordinator at AlohaCare, where she works closely with Hawaii's Medicaid and Medicare populations and providers. Prior to serving as a Health Care Coordinator, Ms. Johansen gained experience advocating for patients and coordinating care for clients with severe mental illness and basic health needs through her role as a Registered Nurse Case Manager at Mental Health Kokua. Your Committee further finds that Ms. Johansen serves as a volunteer with the ARISE Program, focusing on mental health awareness, and is certified in safetalk suicide prevention. Your Committee notes that Ms. Johansen has served as an interim member of the State Health Planning Council, Tri-Isle Subarea, since 2022 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Francine Johansen be appointed to the Health Planning Council, Tri-Isle Subarea, based on her professional experience and commitment to serving vulnerable populations of the State.

ROBERT SHRODER

Your Committee received testimony in support of the nomination for the appointment of Robert Shroder from the State Health Planning and Development Agency.

Upon review of the testimony, your Committee finds that Mr. Shroder's professional expertise and experience within the field of health care qualify him to be appointed to the Health Planning Council, Tri-Isle Subarea. Mr. Shroder holds a Bachelor's degree in Public Administration and a Master's degree in Hospital and Health Administration with a concentration in Finance. For nearly twenty years, Mr. Shroder served in numerous health care executive positions within Mercy Health – Youngstown, formerly Humility of Mary Health Partners, a large, multi-hospital system in Ohio. During his years serving as Administrator and Chief Operating Officer, Executive Vice President of Operations, and, most recently, President and Chief Executive Officer, Mr. Shroder has gained experience in assessing and responding to community needs. In addition to his executive expertise, Mr. Shroder brings to the Health Planning Council extensive experience serving on professional and community boards, including the Summa Health Board of Directors, American Hospital Association's Regional Policy Board, and Youngstown Warren Chamber of Commerce. Your Committee notes that Mr. Shroder has served as an interim member of the Health Planning Council, Tri-Isle Subarea, since 2022 and currently serves as its Vice Chair. Your Committee therefore recommends that Robert Shroder be appointed to the Health Planning Council, Tri-Isle Subarea, based on his extensive experience in hospital administration, proven leadership on the council, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Health and 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, 4. Noes, 1 (Awa). Excused, none.

**SCRep. 1980 Health and Human Services on Gov. Msg. No. 558**

Recommending that the Senate advise and consent to the nomination of the following:

RADIOLOGIC TECHNOLOGY BOARD

G.M. No. 558 RENA SHIMATA, for a term to expire 06-30-2023

Your Committee reviewed the personal history, resume, and statement submitted by Rena Shimata for service on the Radiologic Technology Board.

Your Committee received testimony in support of the nomination of Rena Shimata from the Department of Health.

Upon review of the testimony, your Committee finds that Ms. Shimata's professional experience, background, and desire to serve her community qualify her for appointment to the Radiologic Technology Board as a member with at least five years' experience who is certified and engaged in the practice of nuclear medical technology. Ms. Shimata has worked as a Nuclear Medicine Technologist at Straub Medical Center since July 2018, and before that, served as a Radiology Technologist in Las Vegas, Nevada. Ms. Shimata is a certified Registered Nuclear Medicine Technologist and Registered Radiology Technologist and obtained her nuclear medicine technologist and radiographer license in Hawaii in 2018. Ms. Shimata further holds two Associate of Science degrees in Radiologic Technology from the University of Nevada Las Vegas (UNLV), one from the Radiology Program and one from the Nuclear Medicine Program. Ms. Shimata also served on UNLV's Radiography Board during her time as a student, and therefore has an understanding of

the roles and responsibilities of board members. Your Committee therefore recommends that Rena Shimata be appointed to the Radiologic Technology Board based on her background, knowledge, and desire to contribute to the community.

As affirmed by the record of votes of the members of your Committee on Health and 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. 1981 Health and Human Services on Gov. Msg. No. 641**

Recommending that the Senate advise and consent to the nomination of the following:

COMMISSION ON FATHERHOOD

G.M. No. 641 JEFF ESMOND, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Jeff Esmond for service on the Commission on Fatherhood.

Your Committee did not receive testimony on the nomination for the appointment of Jeff Esmond for service on the Commission on Fatherhood.

Upon review of Jeff Esmond's testimony, your Committee finds that Mr. Esmond's professional experience, background, and desire to serve his community qualify him for consideration for appointment to the Commission on Fatherhood. Mr. Esmond has nearly thirty years of experience in retirement plan administration and has been the owner and President of Hawaii5500 LLC, a third-party administrator of employer-sponsored retirement and welfare plans, since 2017. Mr. Esmond is also an active member in his community and has served on the Kaneohe Business Group since 2018, the Health and Wellness Committee for Kaneohe Elementary School since 2015, and the Nuuanu YMCA Membership Advisory Committee. Your Committee further notes that Mr. Esmond has been a member of the Commission on Fatherhood since 2021, and currently serves as its Chair and the Chair of its Finance Committee.

Your Committee further finds that Mr. Esmond brings to the Commission the underrepresented perspective of a father who happens to be gay. Mr. Esmond has personally experienced the challenges of understanding his identity and coming out to his family and other individuals in his life. Your Committee also notes that Mr. Esmond and his husband pursued, and have overcome various barriers, to become fathers to three children through surrogacy. Moreover, Mr. Esmond also understands that gay men, despite many stereotypes, are as diverse as any given group and no single set of standards or generalizations applies to all. Your Committee believes that Mr. Esmond's perspective is essential to the Commission on Fatherhood in helping its members understand and provide guidance to fathers in the State on various issues, including those faced by gay fathers, fathers of children who have come out or not yet come out as gay, and fathers of children who are transgender. Your Committee finds that Mr. Esmond's expertise in financial issues, experience as a gay man who pursued fatherhood and overcame various barriers to becoming a father through surrogacy, and his desire to serve his community, will continue to be great assets to the Commission on Fatherhood. Your Committee therefore recommends that Jeff Esmond be appointed to the Commission on Fatherhood.

As affirmed by the record of votes of the members of your Committee on Health and 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. 1982 Labor and Technology on Gov. Msg. Nos. 646, 647, 648, 649, 650, 651, and 667**

Recommending that the Senate advise and consent to the nominations of the following:

HAWAI'I WORKFORCE DEVELOPMENT COUNCIL

G.M. No. 646 DEREK KANEHIRA, for a term to expire 06-30-2027;

G.M. No. 647 B. MANU BERMUDES, for a term to expire 06-30-2027;

G.M. No. 648 ROBERT LIETZKE, for a term to expire 06-30-2027;

G.M. No. 649 KELLY UEOKA, for a term to expire 06-30-2027;

G.M. No. 650 DION DIZON, for a term to expire 06-30-2027;

G.M. No. 651 CARLA KUOKAWA, for a term to expire 06-30-2026; and

G.M. No. 667 SHELLI IHORI, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Derek Kanehira, B. Manu Bermudes, Robert Lietzke, Kelly Ueoka, Dion Dizon, Carla Kurokawa, and Shelli Ihori for service on the Hawai'i Workforce Development Council.

DEREK KANEHIRA

Your Committee received testimony in support of the nomination for the appointment of Derek Kanehira from the Department of Labor and Industrial Relations; Hawai'i Workforce Development Council; Optimize HR LLC; Alexander & Baldwin, Inc.; and eighteen individuals.

Upon review of the testimony, your Committee finds that Mr. Kanehira's knowledge and dedication to serving the public qualify him to be appointed to the Hawaii Workforce Development Council as a member from the private sector, including nonprofit organizations and businesses in the State, pursuant to section 202-1(b)(4), Hawaii Revised Statutes. Your Committee notes that Mr. Kanehira has over thirty years of experience in human resources and is currently the Senior Vice President of Human Resources for Alexander & Baldwin, Inc. Prior to that, he was the Vice President and Director of Human Services for the Hawaii Employers Council, a nonprofit association that provides human resource services to employers. During the hearing, Mr. Kanehira noted the importance and benefit of bringing career opportunity discussions and conversations to students at a much younger age to encourage them to think about career options and increase school attendance. Your Committee further notes Mr. Kanehira is a board member in several professional and community organizations, including the Hawaii Employers Council, Hawaii Compensation Group, and Big Brothers Big Sisters Hawaii. Your Committee further finds that Mr. Kanehira has a thorough understanding of the role and responsibilities of board members and his extensive experience in human resources and community engagement will enhance the effectiveness of the Hawai'i Workforce Development Council. Your Committee therefore recommends that Derek Kanehira be appointed to the Hawai'i Workforce Development Council based on his knowledge and dedication to public service.

#### B. MANU BERMUDES

Your Committee received testimony in support of the nomination for the appointment of B. Manu Bermudes from the Department of Labor and Industrial Relations and Hawai'i Workforce Development Council.

Upon review of the testimony, your Committee finds that Ms. Bermudes' knowledge and desire to serve the public qualify her to be appointed to the Hawaii Workforce Development Council as a member from the private sector, including nonprofit organizations and businesses in the State, pursuant to section 202-1(b)(4), Hawaii Revised Statutes. Your Committee notes that Ms. Bermudes has over thirty years of experience in human resources and is currently the Vice President of Human Resources and Diversity, Equity, and Inclusion at Hawaiian Dredging Construction Company, Inc. Prior to that, she was the Senior Human Resources Business Partner and Labor Relations for Par Hawaii Refinery. Your Committee further notes Ms. Bermudes holds numerous certifications, including Senior Certified Professional and Workplace Investigative Specialist from the Society of Human Resources Management. In her written statement, Ms. Bermudes asserted that she is confident that she can make a valuable contribution to the work of the Hawai'i Workforce Development Council and is committed to upholding the highest standards of integrity and professionalism in all of her work. Your Committee further finds that Ms. Bermudes understands the role and responsibilities of board members and her extensive experience in workforce training and development will enhance the effectiveness of the Hawai'i Workforce Development Council. Your Committee therefore recommends that B. Manu Bermudes be appointed to the Hawai'i Workforce Development Council based on her knowledge and desire to serve the public.

#### ROBERT LIETZKE

Your Committee received testimony in support of the nomination for the appointment of Robert Lietzke from the Department of Labor and Industrial Relations, Hawai'i Workforce Development Council, and two individuals.

Upon review of the testimony, your Committee finds that Mr. Lietzke's experience and desire to serve the public qualify him to be appointed to the Hawaii Workforce Development Council as a member from the private sector, including nonprofit organizations and businesses in the State, pursuant to section 202-1(b)(4), Hawaii Revised Statutes. Your Committee notes that Mr. Lietzke earned a Bachelor of Science from the United States Air Force Academy and a Master of Science in Human Resource Management from Chapman University. Mr. Lietzke has over thirty-two years of experience in military service and is currently a Vice President at Booz Allen Hamilton. During the hearing, Mr. Lietzke spoke about his passion to leverage the defense industry, especially with the increased focus on the Indo-Pacific Region, to create a more resilient economy and attract, create, and retain qualified workers across the State. Your Committee further notes Mr. Lietzke is also an active member in professional and community organizations, including the Omidyar Forum of Fellows, Hawaii Defense Alliance Steering Committee, and Military Affairs Council of the Hawaii Chamber of Commerce. Your Committee further finds that Mr. Lietzke has a thorough understanding of the role and responsibilities of board members and his extensive experience in workforce modernization and passion for local workforce development will enhance the effectiveness of the Hawai'i Workforce Development Council. Your Committee therefore recommends that Robert Lietzke be appointed to the Hawai'i Workforce Development Council based on his experience and desire to serve the public.

#### KELLY UEOKA

Your Committee received testimony in support of the nomination for the reappointment of Kelly Ueoka from the Department of Labor and Industrial Relations, Hawai'i Workforce Development Council, Parents and Children Together, and three individuals.

Upon review of the testimony, your Committee finds that Mr. Ueoka's experience and dedication to serving the public qualify him to be reappointed to the Hawaii Workforce Development Council as a member from the private sector, including nonprofit organizations and businesses in the State, pursuant to section 202-1(b)(4), Hawaii Revised Statutes. Your Committee notes that Mr. Ueoka earned a Bachelor of Arts in Computer Information Systems from Southern Oregon University. He has over fifteen years of experience in technology and consulting and is currently the President of Paxca, one of Hawaii's largest, locally owned technology firms. Your Committee further notes that under Mr. Ueoka's leadership, Paxca created the Huakai Workforce Development Program, which helps displaced workers obtain work opportunities in the technology sector by reskilling individuals through on-the-job participation and self-paced learning. Your Committee further finds that Mr. Ueoka was appointed to the Hawai'i Workforce Development Council in 2022 and is currently serving as the Vice Chair of its Finance and Performance Measures Committee. He understands the role and responsibilities of board members and his leadership skills and extensive experience in information technology and workforce development will continue to enhance the effectiveness of the Hawai'i Workforce Development Council. Your Committee therefore recommends that Kelly Ueoka be reappointed to the Hawai'i Workforce Development Council based on his experience and dedication to public service.

#### DION DIZON

Your Committee received testimony in support of the nomination for the reappointment of Dion Dizon from the Department of Labor and Industrial Relations; Hawai'i Workforce Development Council; United Public Workers, AFSCME Local 646, AFL-CIO;

Pride at Work - Hawai'i Chapter; Hawaii Laborers & Employers Cooperation and Education Trust Fund; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii Ports Maritime Council; Island, REALTORS, LLC; University of Hawaii Center for Labor Education & Research; and three individuals.

Upon review of the testimony, your Committee finds that Ms. Dizon's knowledge and dedication to serving the public qualify her to be reappointed to the Hawaii Workforce Development Council as a member from labor organizations and workforce training organizations, pursuant to section 202-1(b)(5), Hawaii Revised Statutes. Your Committee notes that Ms. Dizon earned a Juris Doctorate from the William S. Richardson School of Law in 2022. Your Committee further notes that she has been the Political Education Director for the Hawaii State AFL-CIO since April 2020 and a Real Estate Broker for Island, REALTORS, LLC, since June 2001. Testimony in support of Ms. Dizon emphasized her attention to detail and enthusiasm for understanding workforce development issues. During the hearing, she stated that early and clear communication of career pathways lends itself to intentional workforce development that fulfills the needs of the State. Your Committee further finds that Ms. Dizon was appointed to the Hawai'i Workforce Development Council in 2022 and her experience with labor, housing, and law will continue to enhance the effectiveness of the Hawai'i Workforce Development Council. Your Committee therefore recommends that Dion Dizon be reappointed to the Hawai'i Workforce Development Council based on her knowledge and dedication to public service.

#### CARLA KUROKAWA

Your Committee received testimony in support of the nomination for the appointment of Carla Kurokawa from the Department of Labor and Industrial Relations, Hawai'i Workforce Development Council, and one individual.

Upon review of the testimony, your Committee finds that Ms. Kurokawa's experience and dedication to serving the public qualify her to be appointed to the Hawaii Workforce Development Council as a member from a community-based native Hawaiian organization that operates workforce development programs, pursuant to section 202-1(b)(5), Hawaii Revised Statutes. Your Committee notes that Ms. Kurokawa has almost forty years of experience at Alu Like, Inc., a private, nonprofit service organization that assists Native Hawaiians in achieving social and economic self-sufficiency, and is currently the Employment and Training Manager, where she administers the employment and training program on Hawaii Island. During her time at Alu Like, Inc., Ms. Kurokawa has gained professional experience and expertise in administering and monitoring Workforce Innovation and Opportunity Act programs and previous federal programs implemented under the Workforce Investment Act, American Recovery and Reinvestment Act, and the Job Training Partnership Act. During the hearing, she stated that it is important to focus not only on the youth but also adults who are looking for employment opportunities. Your Committee further notes that Ms. Kurokawa is an active member in professional and community organizations, including the American Job Center, Human Services Advisory Council of the Hawaii Community College, and Hawaii Island Chamber of Commerce. Your Committee further finds that Ms. Kurokawa understands the role and responsibilities of board members and her extensive experience in training program development and program assessment will enhance the effectiveness of the Hawai'i Workforce Development Council. Your Committee therefore recommends that Carla Kurokawa be appointed to the Hawai'i Workforce Development Council based on her experience and desire to serve the public.

#### SHELLI IHORI

Your Committee received testimony in support of the nomination for the reappointment of Shelli Ihori from the Department of Labor and Industrial Relations and Hawai'i Workforce Development Council.

Upon review of the testimony, your Committee finds that Ms. Ihori's knowledge and dedication to serving the public qualify her to be reappointed to the Hawaii Workforce Development Council as a member from labor organizations and workforce training organizations, pursuant to section 202-1(b)(5), Hawaii Revised Statutes. Your Committee notes that Ms. Ihori received her Bachelor of Business Administration and Master of Human Resource Management from the Shidler College of Business, University of Hawaii at Manoa. Over the past seventeen years, Ms. Ihori has been the Associate Director of Workforce Development at Hawaii Pacific Health, where she gained professional knowledge and experience in program development, regulatory compliance, training development, and community partnerships in the health care industry. In her written statement, Ms. Ihori stated that, with current recruitment and staffing challenges, she hopes to increase education for students and other members of the community relating to high demand careers that can lead to advancement and provide opportunities for training and upskilling to keep residents in the State. Your Committee further finds that Ms. Ihori was appointed to the Hawai'i Workforce Development Council in 2022 and her extensive experience in health care recruitment and community collaboration will continue to enhance the effectiveness of the Hawai'i Workforce Development Council. Your Committee therefore recommends that Shelli Ihori be reappointed to the Hawai'i Workforce Development Council based on her knowledge and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Labor and Technology 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. Nos. 646, 648, 649, 650, 651, and 667: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

For Gov. Msg. No. 647: Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

#### **SCRep. 1983 Labor and Technology on Gov. Msg. Nos. 655, 656, 657, 658, and 659**

Recommending that the Senate advise and consent to the nominations of the following:

#### HAWAI'I RETIREMENT SAVINGS BOARD

G.M. No. 655 KAREN YASUKAWA, for a term to expire 06-30-2025;

G.M. No. 656 JESSIE DEAN, for a term to expire 06-30-2026;

G.M. No. 657 BRIAN TANIGUCHI, for a term to expire 06-30-2024;

G.M. No. 658 ANDREW NOMURA, for a term to expire 06-30-2026; and

G.M. No. 659 BARBARA KRIEG, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Karen Yasukawa, Jessie Dean, Brian Taniguchi, Andrew Nomura, and Barbara Krieg for service on the Hawai'i Retirement Savings Board.

#### KAREN YASUKAWA

Your Committee received testimony in support of the nomination for the appointment of Karen Yasukawa from the Department of Labor and Industrial Relations; AARP Hawai'i; Hawaii Benefit Administrators, Inc.; and five individuals.

Upon review of the testimony, your Committee finds that Ms. Yasukawa's knowledge and dedication to serving the public qualify her to be appointed to the Hawai'i Retirement Savings Board as a member with professional knowledge and experience in representing the interests of employers in terms of retirement savings pursuant to section 389-3(b)(3)(C), Hawaii Revised Statutes. Your Committee notes that Ms. Yasukawa has over thirty years of experience in the financial services industry and is currently the Senior Vice President of Investments for the Kikawa Group of Raymond James. Your Committee further notes that Ms. Yasukawa has been designated as a certified investment management analyst since 2002 and an accredited investment fiduciary since 2010. Your Committee further notes Ms. Yasukawa is also an active member in professional and community organizations, including the Raymond James Retirement Plan and Institutional Advisory Council, National Retirement Advisor Council, and Japanese Cultural Center of Hawaii. During the hearing, Ms. Yasukawa indicated that one of the first steps of the Hawai'i Retirement Savings Board should be to determine the employers to whom the State could offer the option to participate in Hawaii Saves, a statewide retirement savings program with payroll deduction features. Your Committee further finds that Ms. Yasukawa has a thorough understanding of the role and responsibilities of board members and her extensive experience in managing institutional retirement investment plans will enhance the effectiveness of the Hawai'i Retirement Savings Board. Your Committee therefore recommends that Karen Yasukawa be appointed to the Hawai'i Retirement Savings Board based on her knowledge and dedication to public service.

#### JESSIE DEAN

Your Committee received testimony in support of the nomination for the appointment of Jessie Dean from the Department of Labor and Industrial Relations, AARP Hawai'i, and two individuals.

Upon review of the testimony, your Committee finds that Mr. Dean's experience and desire to serve the public qualify him to be appointed to the Hawai'i Retirement Savings Board as a member representing the interests of small businesses in Hawaii pursuant to section 389-3(b)(3)(B), Hawaii Revised Statutes. Your Committee notes that since April 2022, Mr. Dean has been the Chief Executive Officer of the King Lunalilo Trust and Lunalilo Home (Trust), which provides various services for kupuna. Testimony indicates that as the Chief Executive Officer of the Trust, Mr. Dean has ensured the financial stability of the Trust by identifying and implementing new programs that diversified the revenue sources of the Trust. Previously, Mr. Dean worked as the Tribal Affairs Administrator for the Washington State Health Care Authority, where he developed healthcare policies for American Indian and Native Alaskan tribes. Your Committee further notes that Mr. Dean has nearly five years of experience as a financial and compliance auditor, nearly ten years as a corporate attorney, and eight years as an executive of a state agency. During the hearing, Mr. Dean emphasized that not only is it important that a statewide retirement savings program be easy to understand, but also easy to administer. Your Committee further finds that Mr. Dean understands the role and responsibilities of board members and his extensive experience in compliance and oversight will enhance the effectiveness of the Hawai'i Retirement Savings Board. Your Committee therefore recommends that Jessie Dean be appointed to the Hawai'i Retirement Savings Board based on his experience and desire to serve the public.

#### BRIAN TANIGUCHI

Your Committee received testimony in support of the nomination for the appointment of Brian Taniguchi from the Department of Labor and Industrial Relations, AARP Hawai'i, and two individuals.

Upon review of the testimony, your Committee finds that Senator Taniguchi's background and dedication to serving the public qualify him to be appointed to the Hawai'i Retirement Savings Board as a member who is a retiree who resides in Hawaii, representing retirees in Hawaii pursuant to section 389-3(b)(3)(E), Hawaii Revised Statutes. Your Committee notes that Senator Taniguchi has over forty years of experience as an elected official, and served as the senator representing District 11 of Manoa, Makiki, Punchbowl, and Papalokea, chairing the Senate Committee on Labor, Culture and the Arts before his retirement in 2022. Your Committee recognizes that Senator Taniguchi was a member of the temporary retirement savings task force that submitted a feasibility study demonstrating the need for a retirement savings program for Hawaii's workers. Your Committee further notes that his keen understanding of the legislation that created Hawaii Saves is instrumental in the success of its development and implementation. During the hearing, Senator Taniguchi indicated that he felt a strong responsibility to ensure that Hawaii Saves is set up properly and would be willing to serve an extra term to ensure that it is. Your Committee further finds that Senator Taniguchi has a thorough understanding of the role and responsibilities of board members and his extensive insight and understanding of local labor issues will continue to enhance the effectiveness of the Hawai'i Retirement Savings Board. Your Committee therefore recommends that Brian Taniguchi be appointed to the Hawai'i Retirement Savings Board based on his knowledge, background, and dedication to public service.

#### ANDREW NOMURA

Your Committee received testimony in support of the nomination for the appointment of Andrew Nomura from the Department of Labor and Industrial Relations; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; MPI Consulting LLC; AARP Hawai'i; Presentation Resources; and two individuals.

Upon review of the testimony, your Committee finds that Mr. Nomura's background and desire to serve the public qualify him to be appointed to the Hawai'i Retirement Savings Board as a member with professional knowledge and experience in establishing retirement savings plans and retirement investment products pursuant to section 389-3(b)(3)(A), Hawaii Revised Statutes. Your Committee notes that Mr. Nomura was a Financial Advisor at Morgan Stanley Wealth Management for two decades before his retirement in February 2023. Your Committee further notes that Mr. Nomura also has over twenty years of experience in marketing. Your Committee also finds Mr. Nomura is an active member in community organizations, including Hawaii Meals on Wheels and the Kaimuki High School Class of 1969 Reunion Committee. During the hearing, Mr. Nomura indicated that, if appointed, he would work

to involve not only private sector employers, but also stakeholders in the financial planning community and businesses, in order to increase the number of workers in the State that are covered by a retirement savings plan. Your Committee further finds that Mr. Nomura understands the role and responsibilities of board members and his extensive experience in retirement planning will continue to enhance the effectiveness of the Hawai'i Retirement Savings Board. Your Committee therefore recommends that Andrew Nomura be appointed to the Hawai'i Retirement Savings Board based on his background and desire to serve the public.

#### BARBARA KRIEG

Your Committee received testimony in support of the nomination for the appointment of Barbara Krieg from the Judiciary, Department of Labor and Industrial Relations, AARP Hawai'i, and ten individuals.

Upon review of the testimony, your Committee finds that Ms. Krieg's background and dedication to serving the public qualify her to be appointed to the Hawai'i Retirement Savings Board as a member with professional knowledge and experience in representing the interests of employees in terms of retirement savings pursuant to section 389-3(b)(3)(D), Hawaii Revised Statutes. Your Committee notes that before her retirement in 2017, Ms. Krieg was the Assistant Superintendent of the Office of Human Resources in the Department of Education. Prior to that, Ms. Krieg was the Director of Human Resources Development. Your Committee further notes that Ms. Krieg also has over fifteen years of experience as a labor employment law attorney and experience with government contracts and nonprofit governance. Your Committee also notes Ms. Krieg has served on the board on a number of local professional and community organizations, including the Hawaii Deferred Compensation Plan, Hawaii Employer-Union Health Benefits Trust Fund, Tau Dance Theater, and the Disability Rights Legal Center. During the hearing, Ms. Krieg clarified that she is currently a member of the Executive Council of the AARP Foundation and that her connection with AARP Hawaii is key to the implementation of Hawaii Saves. Your Committee further finds that Ms. Krieg has a thorough understanding of the role and responsibilities of board members and her extensive insight and understanding of labor employment law will continue to enhance the effectiveness of the Hawai'i Retirement Savings Board. Your Committee therefore recommends that Barbara Krieg be appointed to the Hawai'i Retirement Savings 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 Labor and Technology 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 (Keith-Agaran, Fevella).

#### **SCRep. 1984 Labor and Technology on Gov. Msg. No. 503**

Recommending that the Senate advise and consent to the nomination of the following:

#### CHIEF INFORMATION OFFICER, OFFICE OF ENTERPRISE TECHNOLOGY SERVICES

G.M. No. 503 DOUG MURDOCK, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Doug Murdock for reappointment as Chief Information Officer.

Your Committee received testimony in support of the nomination for the reappointment of Doug Murdock from the Governor, Department of Transportation, Department of Law Enforcement, Department of Budget and Finance, Department of Health, Department of Land and Natural Resources, Department of Public Safety, Department of Human Resources Development, Department of Human Services, Department of Labor and Industrial Relations, Department of Taxation, Office of Elections, State Procurement Office, Hawaii Public Housing Authority, and twenty-one individuals.

Mr. Murdock earned a Juris Doctorate from the University of Washington School of the Law, a Master's degree in Public Administration from Central Michigan University, and a Bachelor's degree in Economics from Portland State University. Mr. Murdock served in the United States Air Force and retired in 2010 with the rank of Colonel after twenty-five years of service.

Your Committee notes that Mr. Murdock has served as the Chief Information Officer since his appointment in 2019. Prior to his service as the Chief Information Officer, Mr. Murdock not only was the Vice President of Administrative and Fiscal Affairs for the Hawaii Tourism Authority from August 2012 to December 2014, but also served as the Comptroller of the Department of Accounting and General Services from January 2015 to November 2016. Your Committee further notes that after moving to Hawaii, Mr. Murdock served on the Procurement Policy Board from 2011 to 2012.

In his written statement to your Committee, Mr. Murdock stated that his priorities during this upcoming term include the completion and execution of the IT Consolidation Plan; continued modernization of legacy systems, especially the Enterprise Financial System; development of a new citizen identity and fraud prevention system; provision of resources for better civic engagement; and continued transformation of the Office of Enterprise Technology (ETS).

Over the last four years, Mr. Murdock has fulfilled his responsibility to organize, manage, and oversee statewide information technology governance. Under his leadership, ETS designed and implemented the State of Hawaii Safe Travels technology platform to protect the health of residents and visitors and restart the economy during the coronavirus disease 2019 (COVID-2019) pandemic; finalized and implemented the State of Hawaii 2019-2023 IT Strategic Plan to help state government better serve the public; modernized the State's numerous legacy systems, including the payroll and time and leave systems; moved the State's mainframe applications to the cloud thereby reducing costs of each application, but also improving the speed, reliability, and disaster recovery capabilities of each application; and enhanced the State's cybersecurity resources. Testimony received by your Committee also noted that, at the start of the COVID-2019 pandemic, Mr. Murdock ensured that ETS services and shared resources were made available to support the antiquated Unemployment Insurance System and worked with all cabinet members to balance the limited state resources between critical systems that helped allow over 190,000 residents to successfully file their initial unemployment insurance claims



between the months of April and May 2020. Your Committee also notes that the accomplishments of ETS over the last four years have been recognized by outside organizations, including the Center for Digital Government, Google, and StateScoop.

Your Committee finds that testimony submitted in support of Mr. Murdock's nomination universally speak highly of his legal, technical, business, and government expertise; proactive problem solving; and overall effectiveness. Additionally, testimony commended his leadership style, stating that it has enabled and empowered staff, engaged department stakeholders, and produced significant achievement in ensuring that critical services are delivered to the public through the optimum use of information technology resources. Testimony across multiple departments confirmed that they were looking forward to continued collaboration with Mr. Murdock.

After hearing from the nominee and considering his resume and statement, your Committee further finds that his past performance and commitment to public service qualify Doug Murdock for reappointment as the Chief Information Officer.

As affirmed by the record of votes of the members of your Committee on Labor and Technology 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 (Keith-Agaran).

**SCRep. 1985 Labor and Technology on Gov. Msg. No. 529**

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY DIRECTOR, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

G.M. No. 529 WILLIAM KUNSTMAN, for a term to expire 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by William Kunstman for service as the Deputy Director of Labor and Industrial Relations.

Your Committee received testimony in support of the nomination for the appointment of William Kunstman from the Governor; Department of Labor and Industrial Relations; Department of Transportation; Department of Public Safety; Department of Budget and Finance; Department of Agriculture; Department of Land and Natural Resources; Department of Health; Department of Hawaiian Home Lands; Department of Taxation; Office of Enterprise Technology Services; Office of Community Services; Labor and Industrial Relations Appeals Board; Schindler Elevator Corporation; AARP Hawai'i; ALTRES, Inc.; Hawaii Laborers-Employers Cooperation and Education Trust; Hale Hau'oli Hawai'i; Hawaii Injured Workers Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Work Injury Medical Association of Hawaii; and twenty-two individuals. Your Committee received comments on the nomination for the appointment of William Kunstman from one individual.

Upon review of the testimony, your Committee finds that Mr. Kunstman's knowledge, dedication to public service, and experience qualify him for appointment as the Deputy Director of Labor and Industrial Relations. Mr. Kunstman has over ten years of experience at the Department of Labor and Industrial Relations (Department) and has been serving as the interim Deputy Director since December 2022. Prior to his time with the Department, he was the Labor Committee Clerk for Senator Dwight Takamine, where he managed committee operations and assisted in the oversight of measures regarding the Department of Labor and Industrial Relations, Department of Human Resources Development, Employer-Union Health Benefits Trust Fund, and Employees' Retirement System. Your Committee notes that Mr. Kunstman received a Master's degree in Public Administration and a Master's degree in Library and Information Science from the University of Hawaii at Manoa, and a Bachelor of Arts degree in History from the University of Wisconsin at Madison.

Your Committee further finds that Mr. Kunstman has served in a number of capacities at the Department, including but not limited to Program Evaluation Analyst VII, Public Information Officer, Assistant to the Director of Labor and Industrial Relations, Legislative Coordinator, and Administrative Rules Coordinator. During the hearing, Mr. Kunstman demonstrated his knowledge of the needs of the Department and the challenges that it currently faces. He also indicated his focus on updating the Department's policies and procedures; increasing resources and capacity, in part through modernization; re-engaging stakeholders from both the business and labor sides; and ensuring a collaborative culture between the various divisions of the Department.

Your Committee also finds that testimony submitted in support of Mr. Kunstman's nomination universally speak positively as to his broad knowledge and practical experience with labor policies and issues in Hawaii. Testimony noted that his experience in government operations, including agency oversight, budgeting, capital improvements projects, and interpersonal skills make him uniquely qualified to serve as the Deputy Director of Labor and Industrial Relations. Additionally, testifiers commended his professionalism and work ethic, especially during the coronavirus disease 2019 pandemic.

After hearing from Mr. Kunstman and considering his resume and statement, your Committee finds that Mr. Kunstman demonstrates a high-level of understanding of the mission of the Department, and his experience and dedication to public service qualify him to serve as the Deputy Director of Labor and Industrial Relations. Your Committee therefore recommends that William Kunstman be appointed as the Deputy Director of Labor and Industrial Relations based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Labor and Technology 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 (Keith-Agaran, Fevella).

**SCRep. 1986 (Majority) Judiciary on Gov. Msg. No. 502**

Recommending that the Senate advise and consent to the nomination of the following:

ATTORNEY GENERAL, DEPARTMENT OF THE ATTORNEY GENERAL

G.M. No. 502 ANNE LOPEZ, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Anne Lopez for service on the Department of the Attorney General.

Your Committee received testimony in support of the nomination for the appointment of Anne Lopez from the Governor, Department of Land and Natural Resources, Department of Labor and Industrial Relations, Department of Public Safety, Department of Budget and Finance, Department of Education, Department of Law Enforcement, Department of Hawaiian Home Lands, Department of Transportation, Department of Health, Department of Commerce and Consumer Affairs, Department of Human Resources Development, Campaign Spending Commission, Office of Enterprise Technology Services, Hawaii Public Housing Authority, Hawai'i Health Systems Corporation, Healthcare Association of Hawaii, Everytown for Gun Safety, Moms Demand Action for Gun Sense in America, Students Demand Action for Gun Sense in America, Parents and Children Together, Hawai'i Health Systems Corporation Kaua'i Region, and one hundred and two individuals. Your Committee received testimony in opposition to the nomination for the appointment of Anne Lopez from seven individuals. Your Committee received comments on the nomination for the appointment of Anne Lopez from the Board of Directors of the Hawaii State Bar Association and Akamai Cannabis Consulting.

Ms. Lopez received a Bachelor of Science degree from San Jose State University. She subsequently received a Doctorate of Jurisprudence from the University of Hawai'i at Mānoa William S. Richardson School of Law where she was the Co-Editor in Chief for the University of Hawai'i Law Review. Ms. Lopez has served as Acting Attorney General since December 2022. Ms. Lopez previously held numerous roles with the Hawai'i Health Systems Corporation, including Vice President and General Counsel, where she was responsible for leading the in-house legal department, including the Corporate Director of Risk Management, staff attorneys, and legal support staff in providing legal counsel and health care risk management services for Hawai'i's state-owned health care system and its affiliates. Ms. Lopez was also responsible for working to facilitate the passage of health care legislation and ensured system-wide compliance with federal and state laws. Ms. Lopez previously served as a Special Assistant to Attorney General David Louie. Prior to that, for over ten years, she worked in private practice and was a litigation and transaction associate at the law firm of Chun, Kerr, Dodd, Beaman and Wong and a litigation associate at the law firm of Kobayashi, Sugita & Goda.

Testimony in support of Ms. Lopez's nomination commend her depth of experience, leadership abilities, and legal background. Even in her brief time as Acting Attorney General, she has already shown her ability to delve deeply into legal matters and understand the nuanced implications her decisions will have on government operations. She has also earned a reputation of being a very knowledgeable, highly competent, and effective leader. Many testifiers noted that her strong work ethic, integrity, and exceptional ability to navigate complex legal issues and make sound decisions will continue to be great assets to the Department of the Attorney General.

Your Committee finds that, based on the testimony submitted on her behalf, Anne Lopez has the experience, temperament, and other competencies to be the Attorney General of the State of Hawaii, and in that capacity, she will continue to be a strong advocate on behalf of the interests of the State and its residents.

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, 1 (Awa). Excused, none.

**SCRep. 1987 Judiciary on S.R. No. 202**

The purpose and intent of this measure is to request the Administrative Director of the Courts of the Hawaii State Judiciary to collect, compile, and share data on the assessment of fees, court costs, fines, and restitution in cases against minors.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, Office of the Public Defender, Hawai'i Friends for Restorative Justice, Hawaii Health & Harm Reduction Center, American Civil Liberties Union of Hawai'i, Policy Advocacy Clinic at Berkeley Law, Opportunity Youth Action Hawai'i, and Institute for Justice. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that research shows that charging fees, fines, costs, and restitution to youth is harmful to young people and their families. In Hawai'i, the consequences of such costs fall disproportionately on Native Hawaiian, Pacific Islander, and Black youth, who are more likely to be arrested, detained, and unable to afford fees, fines, costs, and restitution. There is a growing consensus that fees and fines should not be assessed for mistakes made in a person's youth, regardless of the age or jurisdiction in which the person is adjudicated or sentenced. This measure will encourage the Administrative Director of the Courts of the Hawaii State Judiciary to produce information that will help determine whether the State should prohibit the imposition of fees and fines on young people.

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. 202 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1988 Agriculture and Environment on Gov. Msg. Nos. 583, 584, 585, 586, and 587**

Recommending that the Senate advise and consent to the nominations of the following:

**BOARD OF DIRECTORS OF THE AGRIBUSINESS DEVELOPMENT CORPORATION**

G.M. No. 583 JASON OKUHAMA, for a term to expire 06-30-2023;

G.M. No. 584 JASON OKUHAMA, for a term to expire 06-30-2027;

G.M. No. 585 JAYSON WATTS, for a term to expire 06-30-2025;

G.M. No. 586 KAREN SEDDON, for a term to expire 06-30-2023; and

G.M. No. 587 KAREN SEDDON, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Jason Okuhama, Jayson Watts, and Karen Seddon for service on the Board of Directors of the Agribusiness Development Corporation.

**JASON OKUHAMA**

Your Committee received testimony in support of the nominations for the appointment and reappointment of Jason Okuhama from the Agribusiness Development Corporation; Hawai'i Alliance for Community-Based Economic Development; Oahu Agriculture and Conservation Association Ag Finance Hui; Feed the Hunger Fund; Hawai'i Investment Ready; Farm Link Hawaii; Ulupono Initiative; Hawai'i Farm Bureau; Larry Jeffs Farms, LLC; and two individuals.

Your Committee finds that Jason Okuhama has an extensive banking background and experience working for the State, and has been a managing partner at Hawai'i Lending Specialists, LLC, since 2000. Mr. Okuhama previously worked as a business loan officer at Bank of America and the Department of Business, Economic Development, and Tourism, and has worked as a Mortgage Loan Officer at the International Savings and Loan Association and as an Assistant Branch Manager at First Hawai'i Bank. Your Committee additionally finds that Mr. Okuhama has the experience and expertise needed by the Agribusiness Development Corporation to seek out commercial, federal, and state funding for projects that are important to Hawaii's agricultural industry. Over his career, Mr. Okuhama has secured tens of millions of dollars in financing for large and small food producing operations in the State. As the State seeks to increase local food independence and security, your Committee believes Jason Okuhama has the background necessary to facilitate and support this arduous economic and agricultural transition as a member of the Board of Directors of the Agribusiness Development Corporation and therefore recommends that he be appointed and reappointed to the Board.

**JAYSON WATTS**

Your Committee received testimony in support of the nomination for the appointment of Jayson Watts from the Agribusiness Development Corporation; Office of the Mayor of the County of Kaua'i; one member of the Honolulu City Council; Maui Economic Opportunity, Inc.; Hawai'i Public Health Institute; Hawaii Food Industry Association; Ulupono Initiative; Hawai'i Farm Bureau; SanHi Government Strategies; Larry Jeffs Farms, LLC; and twenty-three individuals.

Your Committee finds that Jayson Watts is currently the Director of External Affairs and Strategic Initiatives at Mahi Pono, LLC, a farming company on Maui that is working to transform forty-one thousand acres of vacant former sugar cane land into a thriving hub of diversified agriculture. Mr. Watts has also served the State for twenty years through his work in various roles, including as Special Assistant to the Director of Labor and Industrial Relations, Senior Advisor to the Lieutenant Governor, Assistant Senate Sergeant-at-Arms, Legislative Director of the Office of the Senate Majority Caucus Leader, and as an Intern and Staff Assistant at the Office of Congresswoman Patsy T. Mink. Your Committee further finds that Mr. Watts has hands-on experience in the local agricultural industry and serves on multiple boards, including the Maui County Farm Bureau and Hawai'i Food Industry Association. Your Committee asserts that Jayson Watts' knowledge and familiarity with local agriculture will improve the function and capability of the Board of Directors of the Agribusiness Development Corporation, and therefore recommends that he be appointed to the Board.

**KAREN SEDDON**

Your Committee received testimony in support of the nominations for the appointment and reappointment of Karen Seddon from the Agribusiness Development Corporation; Hawai'i Farm Bureau; Larry Jeffs Farms, LLC; and four individuals.

Your Committee finds that Karen Seddon's professional background in planning, designing, financing, and constructing various community development projects will provide crucial expertise to the Board of Directors of the Agribusiness Development Corporation. Ms. Seddon is the Regional Vice President of EAH Housing where she takes primary leadership over all affordable housing development activity in the Hawaii region. She previously worked as Regional Vice President of the Michaels Organization, Executive Director of the Hawaii Housing Finance and Development Corporation, Director of Land development at DR Horton – Hawaii, and Development Manager at Kapalua Land Company. She is also a member of Lambda Alpha International, which provides a forum for the exchange of ideas in the fast-paced world of land use and development, and the Urban Land Institute, which provides leadership in the responsible use of land. Ms. Seddon's extensive development background and experience will prove to be invaluable as the Agribusiness Development Corporation continues to partner with farmers, ranchers, and aquaculture groups to optimize the use of selected high-value lands, water systems, and infrastructure for commercial agricultural use for the economic, environmental, and social benefit of the people of Hawaii. Your Committee therefore recommends that Karen Seddon be appointed and reappointed to the Board of Directors of the Agribusiness Development Corporation.

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.

For Gov. Msg. No. 583: Ayes, 4. Noes, none. Excused, 1 (Awa).

For Gov. Msg. Nos. 584, 585, 586, and 587: Ayes, 5. Noes, none. Excused, none.

**SCRep. 1989 Water and Land on Gov. Msg. No. 541**

Recommending that the Senate advise and consent to the nomination of the following:

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

G.M. No. 541 JOHN KOMEIJI, for a term to expire 06-30-2025 (role amended to Chairperson by G.M. No. 609)

Your Committee reviewed the personal history, resume, and statement submitted by John Komeiji for service as the Chairperson of the Mauna Kea Stewardship and Oversight Authority.

Your Committee received testimony in support of the nomination for the appointment of Mr. Komeiji from the Hawaiian Civic Club of Hilo; Matson Navigation Company, Inc.; Canada-France-Hawai'i Telescope Corporation; and twelve individuals. Your Committee received testimony in opposition to the nomination for the appointment of Mr. Komeiji from one individual.

Upon review of the testimony, your Committee finds that Mr. Komeiji's background, experience, and dedication to community service qualify him to be appointed as Chairperson of the Mauna Kea Stewardship and Oversight Authority. Mr. Komeiji was selected to represent the Authority as an individual with business and finance experience who has previous administrative experience in managing a large private-sector business and was concurrently nominated to serve as the interim Chairperson by former Governor David Ige. Prior to leading the Authority, Mr. Komeiji held the highly esteemed position of General Counsel and Vice President of the Kamehameha Schools. Mr. Komeiji also previously served as the President and General Manager of the local communications services giant, Hawaiian Telcom, following its acquisition by Cincinnati Bell in 2018. Before obtaining the top leadership role, Mr. Komeiji served as the Chief Administrative Officer and General Counsel of Hawaiian Telcom for over a decade. Further, prior to his transition to in-house counsel, Mr. Komeiji served as a named partner at the prominent local law firm, Watanabe Ing LLP (formerly known as Watanabe Ing and Komeiji LLP).

Mr. Komeiji is also active in the community and has served on numerous for-profit and nonprofit boards. Mr. Komeiji currently serves on the board of The 200 Club, an organization comprising two hundred businesses and community leaders who support the Honolulu Police Department and Honolulu Fire Department. He also serves as Assistant Treasurer of the University of Hawaii Alumni Association. Mr. Komeiji additionally is the former president of the Hawaii State Bar Association. Mr. Komeiji earned his Juris Doctorate from the University of California Hastings College of Law and his Bachelor of Education degree from the University of Hawaii at Manoa.

Your Committee finds that Mr. Komeiji, with his demonstrated ability to lead and oversee large scale private-sector businesses and nonprofit organizations, possesses the requisite qualifications to serve as the Chairperson of the Authority. Mr. Komeiji is a proven and trustworthy leader who is capable of executing boardroom-level strategic plans and carrying out an organization's vision, mission, and purpose. Mr. Komeiji received near-unanimous support from testifiers, many of whom praised his integrity, leadership, and commitment to solving problems in the "Hawaii way". Your Committee also believes that Mr. Komeiji's background in mediation will serve him well, as he moves the Authority forward and engages with the community to resolve the many complex issues surrounding Mauna Kea. Your Committee finds that Mr. Komeiji has a thorough understanding of the role and responsibilities of the Chairperson of the Authority and therefore recommends that John Komeiji be appointed as Chairperson of the Mauna Kea Stewardship and Oversight Authority based on his knowledge, experience, 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 (Chang).

**SCRep. 1990 Water and Land on Gov. Msg. Nos. 538, 542, 543, and 544**

Recommending that the Senate advise and consent to the nominations of the following:

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

G.M. No. 538 PAUL HORNER, for a term to expire 06-30-2025;

G.M. No. 542 RICHARD MATSUDA, for a term to expire 06-30-2025;

G.M. No. 543 GARY KRUG, for a term to expire 06-30-2024; and

G.M. No. 544 KAMANAMAICALANI BEAMER, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Paul Horner, Richard Matsuda, Gary Krug, and Kamanamaikalani Beamer for service on the Mauna Kea Stewardship and Oversight Authority.

PAUL HORNER

Your Committee received testimony in support of the nomination for the appointment of Mr. Horner from the Hawaiian Civic Club of Hilo, Kūpuna for the Mo'opuna, and three individuals. Your Committee received testimony in opposition to the nomination for the appointment of Mr. Horner from one individual.

Upon review of the testimony, your Committee finds that Mr. Horner's background, experience, and dedication to community service qualify him to be appointed to the Mauna Kea Stewardship and Oversight Authority. Mr. Horner has been serving as an interim member of the Authority since his appointment in September 2022. Mr. Horner was selected from a list of names submitted by the President of the Senate. Mr. Horner, a Native Hawaiian, is the President and Chief Executive Officer of Na Leo 'o Hawai'i, a public

access television organization whose mission is to facilitate diverse community dialogue and educational awareness for the citizens of Hawaii island. Previously, Mr. Horner gained considerable hospitality industry experience through his work as a manager at the Hawaii Visitors and Convention Bureau and various resort locations on Hawaii island, such as The Club at Kukui'ula, Sheraton Kona Resort and Spa at Keauhou Bay, Outrigger Kona Resort and Spa at Keahou Bay, and others.

Your Committee finds that Mr. Horner, with his extensive background in business, tourism, and hospitality, will provide a diverse perspective that will enhance the work of the Authority. Mr. Horner has been with the Authority since its inception and has demonstrated his commitment and willingness to engage in the hard work necessary to establish the new agency. Your Committee finds that Mr. Horner has a thorough understanding of the role and responsibilities of Authority members and therefore recommends that Paul Horner be appointed to the Mauna Kea Stewardship and Oversight Authority based on his knowledge, experience, and commitment to public service.

#### RICHARD MATSUDA

Your Committee received testimony in support of the nomination for the appointment of Mr. Matsuda from the Maunakea Observatories, Hawaiian Civic Club of Hilo, Kona-Kohala Chamber of Commerce, Hawai'i Island Chamber of Commerce, and seven individuals. Your Committee received testimony in opposition to the nomination for the appointment of Mr. Matsuda from three individuals.

Upon review of the testimony, your Committee finds that Mr. Matsuda's background, experience, and dedication to community service qualify him to be appointed to the Mauna Kea Stewardship and Oversight Authority as a member selected from a list of names submitted by the Maunakea Observatories. Mr. Matsuda has been serving as an interim member of the Authority since his appointment in September 2022. Mr. Matsuda has dedicated nearly three decades of his career to the W. M. Keck Observatory on Mauna Kea. Currently, Mr. Matsuda serves as the Associate Director of External Relations, where he has built relationships with government leaders, legislators, and the community on behalf of the Observatory. Previously, Mr. Matsuda served as the Chief of Operations and served as a member of the Mauna Kea Working Group. Before then, Mr. Matsuda worked in a variety of electrical engineering and management roles. Prior to joining the Observatory, Mr. Matsuda was employed as a Senior Design Engineer at Boeing.

Your Committee finds that Mr. Matsuda, with his extensive science and engineering background and twenty-eight years of experience working at one of the most prominent and well-known observatories on Mauna Kea, is well-suited to join the Authority. Mr. Matsuda has been with the Authority since its inception -- in addition to serving on the Authority's predecessor, the Mauna Kea Working Group -- and has demonstrated his commitment to getting the new agency off the ground. Your Committee believes that Mr. Matsuda's long history with Mauna Kea and his unique perspective as a representative of astronomers will allow him to greatly contribute to future discussions. Your Committee finds that Mr. Matsuda has a thorough understanding of the role and responsibilities of Authority members and therefore recommends that Richard Matsuda be appointed to the Mauna Kea Stewardship and Oversight Authority based on his knowledge, experience, and commitment to public service.

#### GARY KRUG

Your Committee received testimony in support of the nomination for the appointment of Dr. Krug from the Hawaiian Civic Club of Hilo, Kūpuna for the Mo'opuna, and three individuals. Your Committee received testimony in opposition to the nomination for the appointment of Dr. Krug from three individuals.

Upon review of the testimony, your Committee finds that Dr. Krug's background, experience, and dedication to community service qualify him to be appointed to the Mauna Kea Stewardship and Oversight Authority. Dr. Krug has been serving as an interim member of the Authority since his appointment in September 2022. Dr. Krug was selected as an individual recognized as possessing expertise in the fields of p-12 public education or post-secondary education. Dr. Krug currently serves as the Principal of Ka Waihona o ka Na'auao Public Charter School in Nanakuli, Oahu, which provides its students with an environment of academic excellence, social confidence, and Hawaiian cultural awareness. Previously, Dr. Krug was an Educational Specialist for the Department of Education's Hawaiian Language Immersion Program, where he helped revitalize the Hawaiian language in the State's public schools. Before then, Dr. Krug worked in a variety of roles at the University of Hawaii at Manoa and lectured on courses covering p-12 education and Hawaiian studies. Dr. Krug has also published and presented numerous scholarly works on such subjects. In 2022, Dr. Krug was bestowed the Educator of the Year award by the Native Hawaiian Education Association.

Your Committee finds that Dr. Krug, with his extensive background in p-12 education and Native Hawaiian culture, will provide a unique perspective that will help enhance the work of the Authority. Dr. Krug has been with the Authority since its inception and is dedicated to the work of the new agency. Dr. Krug has deep ties to Mauna Kea and his expansive knowledge of Native Hawaiian cultural issues will help contribute to the work of the Authority as well as build community trust. Your Committee finds that Dr. Krug has a thorough understanding of the role and responsibilities of Authority members and therefore recommends that Gary Krug be appointed to the Mauna Kea Stewardship and Oversight Authority based on his knowledge, experience, and commitment to public service.

#### KAMANAMAICALANI BEAMER

Your Committee received testimony in support of the nomination for the appointment of Dr. Beamer from the Hawaiian Civic Club of Hilo, Kūpuna for the Mo'opuna, Canada-France-Hawaii Telescope Corporation, and ten individuals. Your Committee received testimony in opposition to the nomination for the appointment of Dr. Beamer from five individuals.

Upon review of the testimony, your Committee finds that Dr. Beamer's background, experience, and dedication to community service qualify him to be appointed to the Mauna Kea Stewardship and Oversight Authority. Dr. Beamer has been serving as an interim member of the Authority since his appointment in September 2022. Dr. Beamer was selected as an individual with aina (land) resource management expertise and specific experience with Hawaii island-based management. Dr. Beamer currently serves as a Full Professor at the University of Hawaii at Manoa and is associated with the Kamakakūokalani Center for Hawaiian Studies, Hawai'i inuiākea School of Hawaiian Knowledge, William S. Richardson School of Law, and Hui 'Āina Momona program. Dr. Beamer also currently serves as a board member for the University of Hawai'i Professional Assembly and Aloha Kuamo'o 'Āina, a nonprofit

founded to steward the lands and waters of Kuamo‘o, Hawaii island. Previously, Dr. Beamer served as a member of the State Water Resource Management Commission, where he similarly helped protect and manage the waters of the State. Before then, Dr. Beamer held a variety of administrative roles at the Kamehameha Schools. Dr. Beamer was also the former President and Chief Executive Officer of The Kohala Center, an independent and community-based center for research, conservation, and education. Dr. Beamer has also published and presented numerous scholarly works on subjects such as water management, conservation, and ahupua‘a in the Hawaiian Kingdom. Dr. Beamer also secured approximately \$17,000,000 in grants and donations for his various institutions and organizations.

Your Committee finds that Dr. Beamer, with his extensive background in science, education, conservation, and water resource management -- largely focused on Hawaii island -- will provide a diverse perspective that will help enhance the work of the Authority. Dr. Beamer has likewise been with the Authority since its inception and has testified as to his commitment to build the new agency to be a consortium for all stakeholders. Your Committee finds that Dr. Beamer has a thorough understanding of the role and responsibilities of Authority members and therefore recommends that Kamanamaikalani Beamer be appointed to the Mauna Kea Stewardship and Oversight Authority based on his knowledge, experience, 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, 5. Noes, none. Excused, none.

**SCRep. 1991 Water and Land on Gov. Msg. Nos. 537, 539, and 540**

Recommending that the Senate advise and consent to the nominations of the following:

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

G.M. No. 537 MICHELLE WONG-WILSON, for a term to expire 06-30-2025;

G.M. No. 539 JOSHUA MANGAUIL, for a term to expire 06-30-2024; and

G.M. No. 540 POMAICALANI BERTELMANN, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Michelle Wong-Wilson, Joshua Mangauil, and Pomaikalani Bertelmann for service on the Mauna Kea Stewardship and Oversight Authority.

MICHELLE WONG-WILSON

Your Committee received testimony in support of the nomination for the appointment of Michelle Wong-Wilson from one member of the Hawai‘i County Council, Canada-France-Hawai‘i Telescope Corporation, Kūpuna for the Mo‘opuna, Association of Hawaiian Civic Clubs, Hawaiian Civic Club of Hilo, Council for Native Hawaiian Advancement, Kāko‘o Haleakalā, Waimea Hawaiian Civic Club, Kamehameha Schools, and seventy individuals. Your Committee received testimony in opposition to the nomination for the appointment of Michelle Wong-Wilson from seven individuals. Your Committee received comments on the nomination for the appointment of Michelle Wong-Wilson from one individual.

Upon review of the testimony, your Committee finds that Dr. Wong-Wilson’s background, experience, and dedication to community service qualify her to be appointed to the Mauna Kea Stewardship and Oversight Authority. Dr. Wong-Wilson has been serving as an interim member of the Authority since her appointment in September 2022. Dr. Wong-Wilson was selected from a list of names submitted by the Speaker of the House of Representatives. Dr. Wong-Wilson is a Native Hawaiian educator, cultural practitioner, and community leader. Dr. Wong-Wilson retired in 2016 as an assistant professor in Hawaiian Studies and longtime coordinator of the Hālaulani Transfer Success Center at Hawai‘i Community College, where she helped numerous Native Hawaiian and other students successfully transfer to the University of Hawai‘i at Hilo or other four-year baccalaureate institutions to achieve a degree. Dr. Wong-Wilson has dedicated her career to Native Hawaiian issues and has taught, lectured, published, and presented on topics related to Native Hawaiian culture and history. Dr. Wong-Wilson is also involved in community organizations, such as the Kohala Hawaiian Civic Club and ‘Āina Aloha Economic Futures Initiative, and was formerly involved with Kamehameha Schools Trustees Advisory Board and the Native Hawaiian Chamber of Commerce. Dr. Wong-Wilson was also a former member of the Mauna Kea Working Group.

Your Committee finds that Dr. Wong-Wilson, with her extensive background in education and Native Hawaiian culture and history, possesses the qualifications to serve as a member of the Authority. Dr. Wong-Wilson has demonstrated her dedication to serving the Native Hawaiian community and her perspective will enhance the work of the Authority. Your Committee finds that Dr. Wong-Wilson has a thorough understanding of the role and responsibilities of Authority members and therefore recommends that Michelle Wong-Wilson be appointed to the Mauna Kea Stewardship and Oversight Authority based on her knowledge, experience, and commitment to public service.

JOSHUA MANGAUIL

Your Committee received testimony in support of the nomination for the appointment of Joshua Mangauil from one member of the Hawai‘i County Council; Kamehameha Schools; Ho‘omana Pono, LLC; Canada-France-Hawai‘i Telescope Corporation; Kūpuna for the Mo‘opuna; Hawaiian Civic Club of Hilo; Kāko‘o Haleakalā; Waimea Hawaiian Civic Club; and seventy-four individuals. Your Committee received testimony in opposition to the nomination for the appointment of Joshua Mangauil from five individuals.

Upon review of the testimony, your Committee finds that Mr. Mangauil’s background, experience, and dedication to community service qualify him to be appointed to the Mauna Kea Stewardship and Oversight Authority. Mr. Mangauil has been serving as an interim member of the Authority since his appointment in September 2022. Mr. Mangauil was selected as an individual who is a recognized practitioner of Native Hawaiian traditional and customary practices. With that in mind, Mr. Mangauil is the founder and

director of the Hawaiian Cultural Center of Hāmākua, a multicultural and multigenerational community center situated in the heart of Honoka'a, which serves as a space for residents to deepen their connection with Hawaiian culture through community classes in art, hula, language, history, agriculture, and philosophy. Since 2016, the Center has hosted special events, guest speakers, community service projects, and cultural exchange programs to create a cultural foundation for the community. Before then, Mr. Mangauil worked for the Department of Education as the 'Ike Hawai'i Resource Teacher for Honoka'a, Waiākea, and Laupāhoehoe, where he provided culture-based education centered on traditional Native Hawaiian practices to pass on such knowledge to the next generation. Mr. Mangauil graduated as a Kumu hula in 2020 with Uniki rites and is also active in kalo (taro) farming in Waipi'o, Hawaii island.

Your Committee finds that Mr. Mangauil, with his extensive background in education and Native Hawaiian traditional and cultural practices, possesses the qualifications to serve as a member of the Authority. Your Committee believes that Mr. Mangauil's leadership, knowledge, and dedication to Native Hawaiian issues will enhance the work of the Authority. Your Committee finds that Mr. Mangauil has a thorough understanding of the role and responsibilities of Authority members and therefore recommends that Joshua Mangauil be appointed to the Mauna Kea Stewardship and Oversight Authority based on his knowledge, experience, and commitment to public service.

#### POMAIKALANI BERTELMANN

Your Committee received testimony in support of the nomination for the appointment of Pomaikalani Bertelmann from the Association of Hawaiian Civic Clubs, Kūpuna for the Mo'opuna, Hawaiian Civic Club of Hilo, Kāko'o Haleakalā, Waimea Hawaiian Civic Club, Kamehameha Schools, and twenty-six individuals. Your Committee received testimony in opposition to the nomination for the appointment of Pomaikalani Bertelmann from three individuals.

Upon review of the testimony, your Committee finds that Ms. Bertelmann's background, experience, and dedication to community service qualify her to be appointed to the Mauna Kea Stewardship and Oversight Authority. Ms. Bertelmann has been serving as an interim member of the Authority since her appointment in September 2022. Ms. Bertelmann was selected as an individual who is a lineal descendant of a practitioner of Native Hawaiian traditional and customary practices associated with Mauna Kea. Your Committee finds that Ms. Bertelmann was born and raised on Hawaii island and her family has been a part of the world-famous Hōkūle'a's legacy from its inception. Further, Ms. Bertelmann's family, along with the community of Hawaii island, was responsible for building the double-hulled voyaging canoe, the Makali'i, that was used to educate communities around the world about the voyaging traditions of the ancient Native Hawaiians. Ms. Bertelmann has sailed on multiple deep sea voyages on the Makali'i, Hōkūle'a, and the Alingano Maisu, and she has shared her experiences and culture with students through her past work at Nā Kālai Wa'a and through Kanu o Ka 'Āina New Century Public Charter School, where she is currently employed as the Ho'okele Haumana Counselor. Previously, Ms. Bertelmann served as the Statewide Sail Coordinator for the Polynesian Voyaging Society.

Your Committee finds that Ms. Bertelmann, as a lineal descendant of a world-renowned voyaging family with extensive experience in traditional and customary Native Hawaiian navigational and astronomical practices, possesses the requisite qualifications to serve as a member of the Authority. Your Committee believes that Ms. Bertelmann's unique lived experience can serve to bridge the ancient Hawaiian study of the stars by master navigators with the modern scientific discoveries being made through the observatories on Mauna Kea. Your Committee finds that Ms. Bertelmann has a thorough understanding of the role and responsibilities of Authority members and therefore recommends that Pomaikalani Bertelmann be appointed to the Mauna Kea Stewardship and Oversight Authority based on her knowledge, experience, 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, 5. Noes, none. Excused, none.

#### **SCRep. 1992 Transportation and Culture and the Arts on Gov. Msg. Nos. 568 and 569**

Recommending that the Senate advise and consent to the nominations of the following:

#### STATE HIGHWAY SAFETY COUNCIL

G.M. No. 568 TIFFANY YAJIMA, for a term to expire 06-30-2023; and

G.M. No. 569 TIFFANY LIGHTFOOT, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Tiffany Yajima and Tiffany Lightfoot for service on the State Highway Safety Council.

#### TIFFANY YAJIMA

Your Committee received testimony in support of the nomination for the appointment of Tiffany Yajima from the Department of Transportation and five individuals.

Upon review of the testimony, your Committee finds that Ms. Yajima's experience and knowledge qualify her for appointment to the State Highway Safety Council. Ms. Yajima currently serves as a government affairs attorney for SanHi Government Strategies, specializing in ground transportation and energy policy at the county, state, and federal levels. Additionally, Ms. Yajima has extensive experience participating in working groups dedicated to transportation policy and infrastructure such as the Electric Vehicle Infrastructure Working Group, Hawaii Hydrogen Implementation Working Group, and Hawaii Energy Policy Forum Transportation Working Group. Ms. Yajima also co-authored the 2021 Hawaii Autonomous Vehicle Legal Preparation Task Force report. Your Committee further finds that Ms. Yajima understands the roles and responsibilities of board members, and her experience in government affairs will be an asset to the State Highway Safety Council. Your Committee therefore recommends that Tiffany Yajima be appointed to the State Highway Safety Council based on her proven experience and knowledge.

TIFFANY LIGHTFOOT

Your Committee received testimony in support of the nomination for the appointment of Tiffany Lightfoot from the Department of Transportation and four individuals.

Upon review of the testimony, your Committee finds that Ms. Lightfoot's experience and knowledge qualify her for appointment to the State Highway Safety Council. Ms. Lightfoot currently serves as the State Trauma Program Coordinator for the Emergency Medical Services and Injury Prevention System Branch of the Department of Health. Serving in the field of medicine for twenty years, Ms. Lightfoot is also a registered nurse and previously served as a flight paramedic. Ms. Lightfoot has also served on numerous boards, including as President-Elect of the National Association of State Emergency Medical Services Officials Trauma Council; Past Executive Director of the American College of Emergency Physicians Hawaii Chapter; and member of the Emergency Nurses Association. Your Committee further finds that Ms. Lightfoot's experience as a medical professional will be an asset to the State Highway Safety Council. Your Committee therefore recommends that Tiffany Lightfoot be appointed to the State Highway Safety Council based on her proven experience and knowledge.

As affirmed by the records of votes of the members of your Committee on Transportation and 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, 5. Noes, none. Excused, none.

**SCRep. 1993 Transportation and Culture and the Arts on Gov. Msg. No. 591**

Recommending that the Senate advise and consent to the nomination of the following:

KING KAMEHAMEHA CELEBRATION COMMISSION

G.M. No. 591 LEINAALA LOPEZ, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Leinaala Lopez for service on the King Kamehameha Celebration Commission.

Your Committee received testimony in support of the nomination for the appointment of Leinaala Lopez from Hoomohala O Molokai Foundation and seven individuals.

Upon review of the testimony, your Committee finds that Ms. Lopez's experience and knowledge qualify her for appointment to the King Kamehameha Celebration Commission. Ms. Lopez is a lifelong resident of Molokai, where her family has contributed to Molokai's culture through mele (song), hula, lei making, and traditional art. Your Committee notes that Ms. Lopez is an active member of her community, incorporating her knowledge and skills in various forms of Hawaiian culture to perpetuate and preserve traditional cultural arts. Ms. Lopez assisted with the Molokai Kamehameha Day Gala, Parade, and Hoolaulea in 2022 as part of Molokai's King Kamehameha Day Celebrations. Your Committee further finds that Ms. Lopez understands the role and responsibilities of board members and her knowledge of Hawaiian cultural arts will enhance the effectiveness of the King Kamehameha Celebration Commission. Your Committee therefore recommends that Leinaala Lopez be appointed to the King Kamehameha Celebration 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 Transportation and 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, 5. Noes, none. Excused, none.

**SCRep. 1994 Transportation and Culture and the Arts on Gov. Msg. No. 632**

Recommending that the Senate advise and consent to the nomination of the following:

STATE FOUNDATION ON CULTURE AND THE ARTS

G.M. No. 632 RANDALL FUJIKI, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Randall Fujiki for service on the State Foundation on Culture and the Arts.

Your Committee received testimony in support of the nomination for the appointment of Randall Fujiki from the Downtown Art Center and twenty individuals. Your Committee received comments on the nomination for the appointment of Randall Fujiki from the State Foundation on Culture and the Arts and one individual.

Upon review of the testimony, your Committee finds that Mr. Fujiki's experience and knowledge qualify him for appointment to the State Foundation on Culture and the Arts. Mr. Fujiki has been a licensed architect and planner for nearly forty years, serving in a variety of roles, including as principal planner, director, and senior leadership. In addition, Mr. Fujiki also served as Director of the Department of Design and Construction and Director of Department of Planning and Permitting of the City and County of Honolulu. Your Committee also notes that Mr. Fujiki is a distinguished member of the architecture industry, serving as a Fellow and recipient of the President's Award for Distinguished Public Service from the American Institute of Architects. Mr. Fujiki has served on the Foundation on an interim basis since September 2022, and his extensive experience in architecture, urban and regional planning, and design will continue to be an asset to the Foundation. Your Committee therefore recommends that Randall Fujiki be appointed to the State Foundation on Culture and the Arts based on his experience, knowledge, and commitment to public service.



As affirmed by the record of votes of the members of your Committee on Transportation and 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, 5. Noes, none. Excused, none.

**SCRep. 1995 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 579 and 669**

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII COMMUNITY DEVELOPMENT AUTHORITY (HEEIA DISTRICT)

G.M. No. 579 JO-ANN LEONG, for a term to expire 06-30-2026; and

G.M. No. 669 KAIWIPUNI LIPE, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Jo-Ann Leong and Kaiwipuni Lipe for service on the Hawaii Community Development Authority.

JO-ANN LEONG

Your Committee received testimony in support of the nomination for the appointment of Jo-Ann Leong from the Hawaii'i Community Development Authority, Hawaii'i State Aha Moku, Ko'olaupoko Hawaiian Civic Club, and two individuals. Your Committee received testimony in opposition to the nomination for the appointment of Jo-Ann Leong from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her appointment.

Upon review of the testimony, your Committee finds that Dr. Leong's experience, background, and proven leadership on the Hawaii Community Development Authority Board qualify her for appointment to the Board as a community member representing a non-profit organization in the Heeia District. Dr. Leong earned her Doctorate in Microbiology from the University of California San Francisco School of Medicine and served for nearly forty years as a professor, researcher, and distinguished leader in academics. For fourteen years, Dr. Leong served as the former Director Emeritus of the Hawaii Institute of Marine Biology and a Professor in the School of Ocean and Earth Science and Technology at the University of Hawaii at Manoa. Dr. Leong also previously served as Chairman of the Board of Directors for the Center of Tropical and Subtropical Aquaculture in Hawaii and as President of the National Association of Marine Laboratories. Your Committee further notes that Dr. Leong is a dedicated public servant and currently serves as a board member for Paepae O Heeia and Kako o Oiwi and is a contributing member of the Koolapoko Hawaiian Civic Club. Dr. Leong also previously served a four-year term on the Hawaii Community Development Authority representing the Heeia District and remains eager to serve, as Dr. Leong acknowledges the Heeia District is facing a critical period in its development. Your Committee therefore recommends that Jo-Ann Leong be appointed to the Hawaii Community Development Authority based on her extensive experience and continuing commitment to her community.

KAIWIPUNI LIPE

Your Committee received testimony in support of the nomination for the appointment of Kaiwipuni Lipe from the Hawaii'i Community Development Authority, Hawaii'i State Aha Moku, and Ko'olau Foundation. Your Committee received testimony in opposition to the nomination for the appointment of Kaiwipuni Lipe from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her appointment.

Upon review of the testimony, your Committee finds that Dr. Lipe's experience, background, and commitment to public service qualify her for appointment to the Hawaii Community Development Authority as a member representing the Heeia District. Dr. Lipe holds a Doctorate in Education Administration (Higher Education) from the University of Hawaii at Manoa, a Master's of Science in Counseling Psychology from Chaminade University of Honolulu, and a Bachelor of Arts in Hawaiian Studies from the University of Hawaii at Manoa. Dr. Lipe currently serves the University of Hawaii at Manoa as a Native Hawaiian Affairs Program Officer; Interim Director for the Institute of Hawaiian Language Research and Translation; and Director of the Truth, Racial Healing, and Transformation Campus Center. Dr. Lipe is also a prolific Hawaiian language educator, having taught at Ke Lei Papahi 'o Kākuhihewa, Kamehameha Schools, and the University of Hawaii at Manoa as a graduate research assistant. Your Committee notes that Dr. Lipe is an active member of the community and currently serves as Vice President of Hawaii Women in Filmmaking, and previously served as a member of the Commission on the Status of Women. Dr. Lipe indicated in her personal statement that she believes her experience as a trained Racial Healing Circle Facilitator and counselor demonstrates her ability to connect people and enable open discussion, which will benefit the Hawaii Community Development Authority to ensure that diverse communities can be heard and understood to keep the Authority's work relevant and in service of local communities. Your Committee therefore recommends that Kaiwipuni Lipe be appointed to the Hawaii Community Development Authority based on her experience in education and dedicated 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, 4. Noes, none. Excused, 1 (DeCoite).

**SCRep. 1996 Energy, Economic Development, and Tourism on Gov. Msg. No. 668**

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII COMMUNITY DEVELOPMENT AUTHORITY (KAKAAKO DISTRICT)

G.M. No. 668 KEVIN SAKODA, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Kevin Sakoda for service on the Hawaii Community Development Authority.

Your Committee received testimony in support of the nomination for the appointment of Kevin Sakoda from the Hawaii Community Development Authority. Your Committee received testimony in opposition to the nomination for the appointment of Kevin Sakoda from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Sakoda's experience, knowledge, and proven leadership on the Hawaii Community Development Authority qualify him for appointment to the Authority as a member representing the Kakaako District. Ms. Sakoda holds a Master's in Business Administration from the University of Chicago Graduate School of Business and a Bachelor of Science in Electrical Engineering from Northwestern University. Mr. Sakoda has over twenty years of experience in financial markets and possesses a unique combination of skills in technology, disciplined management, risk management, and strategic development to achieve common goals. Mr. Sakoda most recently served as the Managing Director and Head of International Yen Sales for UBS Securities in Tokyo, Japan. Previously, Mr. Sakoda was the Director of the Hedge Fund Sales Group at Barclays Capital in Tokyo, Japan. Mr. Sakoda also worked as a Senior Trader with NationsBank in the Interest Rate Group in Tokyo, Japan and the Interest Rate Product Group in Chicago, Illinois. Mr. Sakoda's experiences have also been enhanced by his extensive experience working and traveling in Asia. In addition to his professional experience, Mr. Sakoda has served on the Hawaii Community Development Authority since 2019 and has a thorough understanding of the roles and responsibilities of the Authority's members. Mr. Sakoda indicated in his personal statement that he believes his disciplined decision-making skills, based on not only financial viability and soundness but also non-financial valuations of community and relationships, will help the Hawaii Community Development Authority and the Kakaako community. Your Committee therefore recommends that Kevin Sakoda be appointed to the Hawaii Community Development Authority based on his extensive experience in the financial sector and his 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 (DeCoite).

**SCRep. 1997 Energy, Economic Development, and Tourism on Gov. Msg. No. 662**

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII COMMUNITY DEVELOPMENT AUTHORITY

G.M. No. 662 PETER APO, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Peter Apo for service on the Hawaii Community Development Authority.

Your Committee received testimony in support of the nomination for the appointment of Peter Apo from the Hawaii Community Development Authority and Hawaii State Aha Moku. Your Committee received testimony in opposition to the nomination for the appointment of Peter Apo from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Apo's background, knowledge, and commitment to public service qualify him for appointment to the Hawaii Community Development Authority as a cultural specialist member. Mr. Apo has over forty-five years of experience in various leadership roles within all levels of government in the State and currently serves as the President of Peter Apo Company, LLC, which provides consulting services to Hawaii businesses, and President of Mamo Records. Mr. Apo previously served two terms as a Trustee for the Office of Hawaiian Affairs, and as the Director of Culture and Education for the Native Hawaiian Hospitality Association, Director of Waikiki Development for the City and County of Honolulu, Special Assistant on Hawaiian Affairs to Governor Ben Cayetano, and served as a State Legislator in the Hawaii State House of Representatives for over a decade. In addition to his career in public service, Mr. Apo has also served on dozens of boards and commissions for various State and community organizations and has been honored with numerous accolades and awards, including the Lifetime Achievement O'o Award from the Native Hawaiian Chamber of Commerce, Outstanding Public Service Award from the United States Army Pacific Command, Secretary of the Army Meritorious Service Award, and multiple music awards. Your Committee notes that Mr. Apo indicated in his personal statement that he hopes to bring his accumulated institutional knowledge and plethora of long-standing relationships with community and government leaders to the Hawaii Community Development Authority to help guide the Authority as a cultural specialist. Your Committee therefore recommends that Peter Apo be appointed to the Hawaii Community Development Authority based on his knowledge, experience, and dedication 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 (DeCoite).

**SCRep. 1998 Energy, Economic Development, and Tourism on Gov. Msg. No. 639**

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII COMMUNITY DEVELOPMENT AUTHORITY

G.M. No. 639 CHASON ISHII, for a term to expire 06-30-2027. (Reference to Kakaako District removed and nominee's position corrected to an At-Large member by GM 653)

Your Committee reviewed the personal history, resume, and statement submitted by Chason Ishii for service on the Hawaii Community Development Authority.

Your Committee received testimony in support of the nomination for the appointment of Chason Ishii from the Hawai'i Community Development Authority and two individuals. Your Committee received testimony in opposition to the nomination for the appointment of Chason Ishii from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Ishii's experience, background, and commitment to public service qualify him to be appointed to the Hawaii Community Development Authority as an at-large member. Mr. Ishii is a versatile executive and community leader with more than two decades of business experience. Prior to his current role as President of Atlas Insurance Agency, the largest insurance agency in the State, Mr. Ishii was the developer and President of Green Home Solutions/Koa Capital; President of HHL Holdings, Inc.; and President of Coldwell Banker Pacific Properties. Your Committee notes that Mr. Ishii is also a member of several professional groups and organizations, including the Young Presidents Organization, Chief Executive Group, and MarshBerry Organization. Your Committee additionally notes that Mr. Ishii has chaired the Hawaii Community Development Authority for nearly two years and his skills as a successful business leader will continue to be assets to the Authority. Mr. Ishii further holds a degree in Executive Education from the Harvard Graduate School of Business and a Bachelor of Business Administration from the University of Hawaii at Manoa. Mr. Ishii indicated in his personal statement that he hopes to bring his years of executive leadership experience and insight and understanding of the housing and commercial development market in the State to continue to help guide the Hawaii Community Development Authority. Your Committee therefore recommends Chason Ishii be appointed to the Hawaii Community Development Authority based on his decades of experience in business, history of community involvement, and proven leadership.

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. 1999 Energy, Economic Development, and Tourism on Gov. Msg. No. 638**

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII TECHNOLOGY DEVELOPMENT CORPORATION

G.M. No. 638 MATTHEW SULLIVAN, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Matthew Sullivan for service on the Hawaii Technology Development Corporation.

Your Committee received testimony in support of the nomination for the appointment of Matthew Sullivan from the Hawaii Technology Development Corporation, Oceanit, and seven individuals. Your Committee received testimony in opposition to the nomination for the appointment of Matthew Sullivan from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Sullivan's experience, knowledge, and proven leadership qualify him for appointment to the Hawaii Technology Development Corporation. Your Committee finds that Mr. Sullivan has worked in product design and technology for over a decade. Mr. Sullivan currently serves as the Director of Product at Oceanit since 2017, where he collaborated with Hawaiian Electric Company, Shell, and Chevron to commercialize advanced nanotechnology surface treatments to increase energy efficiency and reduce greenhouse gas emissions for the energy industry; secured \$20,000,000 in grant funding for technology development with the United States Department of Energy and Department of Defense; and developed technology commercialization relationships with various industries and companies in a number of diverse fields, including battery storage, life sciences, industrial, and automotive. Mr. Sullivan also serves as the Chair of the Board of StoryTree, a start-up software company he co-founded in 2011 in Silicon Valley. Your Committee further notes that Mr. Sullivan has a Master of Science from the Stanford University Hasso Platter Institute of Design and also served as an Adjunct Professor at Stanford University where he taught Introduction to Product Design Fundamentals. Mr. Sullivan was also a Startup Mentor for 500 Startups in San Francisco, California, where he advised startups on product design and product strategy and how to pitch and raise money from investors. Your Committee believes that Mr. Sullivan's knowledge of the technology startup lifecycle and strong desire to create an environment for technology and entrepreneurship in the State will be assets to the Hawaii Technology Development Corporation. Your Committee therefore recommends that Matthew Sullivan be appointed to the Hawaii Technology Development Corporation based on his experience, knowledge, and proven leadership.

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. 2000      Judiciary on Gov. Msg. No. 562**

Recommending that the Senate advise and consent to the nomination of the following:

CIVIL RIGHTS COMMISSION

G.M. No. 562    ARSIMA MULLER, for a term to expire 06-30-2023

Your Committee reviewed the personal history, resume, and statement submitted by Arsima Muller for service on the Hawai'i Civil Rights Commission.

Your Committee received testimony in support of the nomination for the appointment of Arsima Muller from the Hawai'i Civil Rights Commission and three individuals. Your Committee received testimony in opposition to the nomination for the appointment of Arsima Muller from one individual.

Upon review of the testimony, your Committee finds that Ms. Muller's background and dedication to the civil rights of the people of Hawai'i and the people of Micronesia qualify her to be appointed to the Hawai'i Civil Rights Commission. Your Committee notes that Ms. Muller has been a partner at Carlsmith Ball LLP since 2013, where she represents clients in all aspects of corporate and regulatory matters and commercial litigation. During the course of her career, Ms. Muller has been a staunch advocate for her clients and the Marshallese people, including strong involvement on the Marshallese Education Day Committee. Your Committee further notes that Ms. Muller has been serving as an interim member of the Hawai'i Civil Rights Commission and has a thorough understanding of the roles and responsibilities of its members. Your Committee recommends that Arsima Muller be appointed to the Hawai'i Civil Rights Commission based on her knowledge, experience, 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, none.

**SCRep. 2001      Commerce and Consumer Protection on Gov. Msg. No. 618**

Recommending that the Senate advise and consent to the nomination of the following:

STATE BOXING COMMISSION OF HAWAII

G.M. No. 618    ROBYN JUMAWAN, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Robyn Jumawan for service on the State Boxing Commission of Hawaii.

Your Committee received testimony in support of the nomination for the appointment of Robyn Jumawan from the Department of Commerce and Consumer Affairs; USA Boxing, Hawaii Association; and four individuals. Your Committee received testimony in opposition of the nomination for the appointment of Robyn Jumawan from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her appointment.

Upon review of the testimony, your Committee finds that Ms. Jumawan's experience, background, and commitment to public service qualify her for appointment to the State Boxing Commission as a USA Boxing, Inc. member. Your Committee notes that Ms. Jumawan has worked in various roles in the sport of boxing for over fifteen years. Ms. Jumawan is currently the Vice President and Marketing Specialist of PearlSide Boxing, Inc., where she markets boxing programs to the public and serves as supervisor at USA Boxing sanctioned events. During the course of Ms. Jumawan's career, she has gained broad experience and knowledge about the sport of boxing, having served as a USA Boxing member, judge, coach, and Vice President and Chief of Officials for USA Boxing Hawaii. In 2018, Ms. Jumawan was nationally ranked by USA Boxing as the number ten Level 3 official in charge. Ms. Jumawan is currently the State Registration Chair for the United States Amateur Boxing Association and assists the Boxing Commission in promoting amateur boxing across the state. Your Committee finds that Ms. Jumawan has a thorough understanding of the role and responsibilities of commission members and her extensive experience in the sport of boxing will continue to enhance the effectiveness of the State Boxing Commission of Hawaii. Your Committee therefore recommends that Robyn Jumawan be appointed to the State Boxing Commission of Hawaii 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, 5. Noes, none. Excused, none.

**SCRep. 2002      Commerce and Consumer Protection on Gov. Msg. No. 624**

Recommending that the Senate advise and consent to the nomination of the following:

MOTOR VEHICLE INDUSTRY LICENSING BOARD

G.M. No. 624    JOHN CAUDELL, JR., for a term to expire 06-30-2027

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 reappointment of John Caudell, Jr. from the Motor Vehicle Industry Licensing Board and Hawaii Automobile Dealers' Association. Your Committee received testimony in opposition of the nomination for the reappointment of John Caudell, Jr. from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his reappointment.

Upon review of the testimony, your Committee finds that Mr. Caudell's experience, knowledge, and proven leadership on the Motor Vehicle Industry Licensing Board qualify him for reappointment to the Board as a member engaged in the motor vehicle industry. Your Committee notes that Mr. Caudell has over forty years of experience in the automotive industry and has owned Pre-Owned Motor Cars Ltd., a licensed motor vehicle dealership located in Kailua-Kona, for twenty-eight years. Mr. Caudell has been a member of the Hawaii Automobile Dealers' Association since 2006 and currently serves as its President. Your Committee further finds that Mr. Caudell has served on the Motor Vehicle Industry Licensing Board since 2022. Mr. Caudell's experience and knowledge will continue to be assets to the Motor Vehicle Industry Licensing Board. Your Committee therefore recommends that John Caudell, Jr. be reappointed to the Motor Vehicle Industry Licensing Board 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, 5. Noes, none. Excused, none.

**SCRep. 2003 Commerce and Consumer Protection on Gov. Msg. No. 550**

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF NATUROPATHIC MEDICINE

G.M. No. 550 CORINNE MAUL DE SOTO, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Corinne Maul de Soto for service on the Board of Naturopathic Medicine.

Your Committee received testimony in support of the nomination for the appointment of Corinne Maul De Soto from the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition of the nomination for the appointment of Corinne Maul De Soto from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her appointment.

Upon review of the testimony, your Committee finds that Dr. De Soto's experience, background, and commitment to public service qualify her for appointment to the Board of Naturopathic Medicine as a licensed naturopathic physician member. Your Committee notes that Dr. De Soto has been a licensed doctor of naturopathic medicine in Hawaii for nearly a decade. Dr. De Soto is the owner and Medical Director of the Koa Clinic of Integrative Healing and founder, Executive Director, and Medical Director of the Koa Community Health Foundation in Kailua-Kona. During the course of Dr. De Soto's career, she has gained broad experience and knowledge about naturopathic medicine and remains involved with multiple organizations related to her profession, including the Hawaii Society of Naturopathic Physicians, American Association of Naturopathic Physicians, and Pediatric Association of Naturopathic Physicians. Your Committee further notes that Dr. De Soto has served as an interim member of the Board of Naturopathic Medicine since 2022 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Corinne Maul De Soto be appointed to the Board of Naturopathic Medicine 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, 5. Noes, none. Excused, none.

**SCRep. 2004 Health and Human Services on H.C.R. No. 96**

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 Committee received testimony in support of this measure from the Hawaii Society of Clinical Oncology; Association for Clinical Oncology; American Cancer Society Cancer Action Network; Advanced Reproductive Medicine & Gynecology of Hawaii, Inc. dba Fertility Institute of Hawaii; and two individuals. Your Committee received comments on this measure from the Hawaii Medical Service Association.

Your Committee finds that certain cancers and treatments may affect a person's fertility. While a person may desire to undergo fertility preservation procedures to prepare for these possible impacts to fertility, many individuals are unable to obtain these desired procedures due to their high cost. As a first step to addressing this gap in insurance coverage for reproductive health care, this measure requests the Auditor to perform the statutorily required assessment on the impacts of mandating and expanding health insurance coverage for fertility preservation procedures for certain persons who have been diagnosed with cancer.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 96, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Awa).

**SCRep. 2005 Higher Education on Gov. Msg. Nos. 600 and 601**

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII

G.M. No. 600 LAUREL LOO, for a term to expire 06-30-2027; and

G.M. No. 601 ABIGAIL MAWAE, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Laurel Loo and Abigail Mawae for service on the Board of Regents of the University of Hawaii.

LAUREL LOO

Your Committee received testimony in support of the nomination for the appointment of Laurel Loo from the Contractors Association of Kaua'i and three individuals.

Upon review of the testimony, your Committee finds that Ms. Loo's knowledge, background, and desire to serve the University of Hawaii community qualify her for appointment to the Board of Regents of the University of Hawaii as a member representing and residing in the County of Kauai. Ms. Loo holds a Bachelor's degree in Journalism from the University of Hawaii at Manoa and a Juris Doctorate from the William S. Richardson School of Law. As a student, Ms. Loo was active in the University community, serving as Editor in Chief of Ka Leo O Hawaii and Business Editor of the University of Hawaii Law Review. Currently, Ms. Loo is a partner at McCarriston Miller Mukai MacKinnon, LLP and serves as a Per Diem Judge for the District Court and Family Court of the Fifth Circuit. Ms. Loo is also a professionally trained mediator and has conducted mediations in the areas of business and family law. As an attorney, Ms. Loo has provided governance training to government and private boards and commissions and has supported increased transparency of the Board of Regents as an interim member of the Board, a position she has held since the beginning of 2023. Ms. Loo has also served as a member in a number of professional and community organizations, including serving as the former Director of the Hawaii State Bar Association. Your Committee therefore recommends that Laurel Loo be appointed to the Board of Regents of the University of Hawaii based on her proven leadership, experience, and commitment to serving the public.

ABIGAIL MAWAE

Your Committee received testimony in support of the nomination for the appointment of Abigail Mawae from 'Ahahui o Hawai'i and six individuals.

Upon review of the testimony, your Committee finds that Ms. Mawae's background, experience, and dedication to the University of Hawaii community qualify her to be appointed to the Board of Regents of the University of Hawaii as a member representing University of Hawaii students. Ms. Mawae graduated from the University of Hawaii at Manoa with a Bachelor of Arts in Communicology and is currently pursuing her Juris Doctorate at the William S. Richardson School of Law. As an undergraduate, Ms. Mawae competed on the Women's Swimming and Diving Team, was awarded Mountain Pacific Sports Federation All-Academic Team Member in 2021, and served as Captain of the University of Hawaii Fellowship of Christian Athletes. Your Committee notes that Ms. Mawae has served as an interim member of the Board of Regents since November 2022, and her advocacy on behalf of student-athletes and Native Hawaiian students will continue to contribute vital perspectives to the Board of Regents' efforts to address student welfare and further the University's commitment to being a Native Hawaiian place of learning. Your Committee therefore recommends that Abigail Mawae be appointed to the Board of Regents of the University of Hawaii based on her advocacy and passion for serving the student community.

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. 2006 Judiciary on Gov. Msg. Nos. 663 and 670**

Recommending that the Senate advise and consent to the nominations of the following:

COMMISSION ON THE STATUS OF WOMEN

G.M. No. 663 STACEY MONIZ, for a term to expire 06-30-2027; and

G.M. No. 670 EDITH NEUMILLER, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Stacey Moniz and Edith Neumiller for service on the Commission on the Status of Women.

STACEY MONIZ

Your Committee received testimony in support of the nomination for the reappointment of Stacey Moniz from one individual. Your Committee received testimony in opposition to the nomination for the reappointment of Stacey Moniz from two individuals.

Upon review of the testimony, your Committee finds that Ms. Moniz's experience, background, and proven leadership qualify her for reappointment to the Commission on the Status of Women as a member from Maui County. Your Committee notes that Ms. Moniz has a thirty-eight-year career in nonprofit organizational and business management, including as Executive Director of the Maui Farm, a nonprofit organization that provides housing and programs for women in transition as a result of domestic violence. She previously served as the Executive Director of Women Helping Women, an organization working with victims of domestic abuse. During Ms. Moniz's career, she has gained broad experience and knowledge about women's empowerment, mainly in the field of domestic violence, including providing training, community organizing, and expert testimony. Your Committee further finds that Ms. Moniz has served on the Commission on the Status of Women since 2019. Ms. Moniz's experience and knowledge will continue to be assets to the Commission on the Status of Women. Your Committee therefore recommends that Stacey Moniz be reappointed to the Commission on the Status of Women based on her knowledge, experience, and commitment to public service.

#### EDITH NEUMILLER

Your Committee received testimony in support of the nomination for the reappointment of Edith Neumiller from the Zonta Club of Hilo and five individuals. Your Committee received testimony in opposition to the nomination for the reappointment of Edith Neumiller from one individual.

Upon review of the testimony, your Committee finds that Ms. Neumiller's experience, background, and proven leadership qualify her for reappointment to the Commission on the Status of Women as a member from Kauai County. Your Committee notes that Ms. Neumiller has been an appointed member of the Kauai Committee on the Status of Women since 2013, and has participated in various programs and events, including the Human Trafficking Forum, Women's History Month, Breast Cancer Awareness Month, Equal Pay Proclamation, Denim Day Proclamation, and Career Day. During Ms. Neumiller's appointment, she has gained broad experience and knowledge in women's issues and has attended four annual conferences of the National Association of Commission for Women. Over the course of Ms. Neumiller's service, she has championed bringing awareness to human trafficking and other issues affecting women and girls in Hawai'i. Ms. Neumiller's experience and knowledge will continue to be assets to the Commission on the Status of Women. Your Committee therefore recommends that Edith Neumiller be reappointed to the Commission on the Status of Women based on her knowledge, experience, and commitment to public service.

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. 663: Ayes, 5. Noes, none. Excused, none.

For Gov. Msg. No. 670: Ayes, 5; Ayes with Reservations (Elefante). Noes, none. Excused, none.

#### **SCRep. 2007      Ways and Means on Gov. Msg. No. 507**

Recommending that the Senate advise and consent to the nomination of the following:

#### DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE

G.M. No. 507    LUIS SALAVERIA, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Luis Salaveria for service as the Director of Finance.

Your Committee received testimony in support of the nomination for the appointment of Luis Salaveria from the Governor; Department of Transportation; Department of Labor and Industrial Relations; Department of Law Enforcement; Department of Public Safety; Department of Commerce and Consumer Affairs; Department of Human Services; Department of Hawaiian Home Lands; Department of Taxation; Department of Land and Natural Resources; Department of Human Resources Development; Department of Education; Department of Agriculture; Office of Enterprise Technology Services; Hawaii State Energy Office; Employees' Retirement System; Office of Community Services; Agribusiness Development Corporation; Stadium Authority; Hawaii Green Infrastructure Authority; Natural Energy Laboratory of Hawaii Authority; Office of the Public Defender; Hawaii Public Housing Authority; Hawaii Technology Development Corporation; Imanaka Asato, LLLC; SanHi Government Strategies; Healthcare Association of Hawaii; Hawaii Laborers & Employers Cooperation and Education Trust; Ulupono Initiative; Hawaii Farm Bureau; Hawaii REALTORS; University of Hawaii Professional Assembly; Parents and Children Together; Capitol Consultants of Hawaii, LLP; and twenty-seven individuals.

Your Committee recognizes that Mr. Salaveria has more than thirty years of experience in both the public and private sectors. He previously served as the Director of Business, Economic Development, and Tourism; Deputy Director of Finance; Senior Budget/Financial Analyst of the Department of Defense; and Budget Supervisor of the Senate Committee on Ways and Means. Mr. Salaveria also served in executive-level government affairs and finance roles in the private sector. He earned a Bachelor of Arts degree from the University of Hawaii at Manoa, with a major in economics and a minor in political science. Your Committee finds that Mr. Salaveria's education and extensive professional experience have equipped him with a comprehensive understanding of the structure, scope, and role of government and finance.

As 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, 13. Noes, none. Excused, none.

#### **SCRep. 2008      Ways and Means on Gov. Msg. No. 531**

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE

G.M. No. 531 SABRINA NASIR, for a term to expire 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Ms. Sabrina Nasir for service as the Deputy Director of the Department of Budget and Finance.

Your Committee received testimony in support of the nomination for the appointment of Ms. Nasir from the Office of the Governor; Department of Transportation; Department of Public Safety; Department of Human Resources Development; Department of Law Enforcement; Department of Defense; Department of Agriculture; Department of Taxation; Department of Land and Natural Resources; Department of Hawaiian Home Lands; Department of Human Services; Department of Business, Economic Development, and Tourism; Department of Labor and Industrial Relations; Department of Health; Office of Enterprise Technology Services; Employees' Retirement System; Hawaii Public Housing Authority; Stadium Authority; Governor's Coordinator on Homelessness; Climate Change Mitigation and Adaptation Commission; Hawai'i Friends of Civil Rights; Hawaii Tropical Fruit Growers; Synergistic Hawaii Agriculture Council; Milun Hawaii; Hawaii Good Food Alliance; Ulupono Initiative; Hawaii Regional Council of Carpenters; One Shared Future; and numerous individuals.

Your Committee received testimony from one individual in opposition to the nomination for the appointment of Ms. Nasir.

Prior to her nomination and commencement of work as the Deputy Director of Budget and Finance in December 2022, Ms. Nasir served in the administration of Governor David Ige as a Senior Policy Advisor in the Office of the Governor. Her prior government experience includes working for the United States Census Bureau as a Restricted Data Center Researcher under special sworn status; for the Hawaii Department of Transportation Harbors Division as a Project Manager; and for the Hawaii Senate Committee on Ways and Means in roles having progressively increasing levels of responsibility, first as a Budget Analyst, then Capital Improvements Program Specialist, and ultimately Budget Chief. Ms. Nasir also has experience in the non-profit and academic sectors. She established the East-West Center's first Diversity, Equity, and Inclusion program and served as the institution's Title IX Coordinator, in addition to having worked as a Coordinator for its Indo-Pacific Perceptions of Messaging Project. She also worked for The Legal Clinic as a contracted Project Specialist. In the sphere of higher education, Ms. Nasir worked for the University of California at Irvine as a Researcher and for the University of Hawaii at Manoa as a College Outreach Specialist.

Ms. Nasir has earned the respect and esteem of numerous current and former colleagues and community members, as evidenced by the overwhelmingly positive testimony submitted on her behalf. Colleagues highlighted her dedication to excellence, commitment as a public servant, deep and nuanced understanding of state budget and policy issues, and competence in a variety of substantive areas, including advanced statistical analysis skills and expertise in creating data collection and management systems. They also noted her keen intelligence, integrity, impeccable work ethic, humility, patience, and skill in communicating large amounts of complex material to other persons, and generosity with her time. Your Committee also notes that despite having a busy career and demanding work schedule, Ms. Nasir has committed personal time to work for the betterment of the State by volunteering with The Legal Clinic, Hawaii Coalition on Immigrant Rights, and Mana Maoli. Additionally, your Committee notes that Ms. Nasir has furthered her education over the years. Subsequent to graduating with a Bachelor's degree in Economics from the University of California at Berkeley, she went on to obtain two Master's degrees and a Ph.D. that span the fields of globalization, development, demographic analysis, and sociology.

Your Committee notes from Ms. Nasir's personal statement that she shares the vision of the Director of Budget and Finance to accomplish three key goals: (1) protect the State's credit and financial well-being; (2) improve transparency, communication, and metrics; and (3) improve the effectiveness and efficiency of departmental operations. Ms. Nasir identified the modernization of the Department's financial management system as the most ambitious of these overarching goals, noting that the modernization will facilitate the accomplishment of related objectives, have positive impacts statewide, and greatly improve the Department's ability to effectively monitor, plan, and allocate resources. Ms. Nasir noted that her extensive research and academic experience has given her the ability to systematically analyze information and make data-driven decisions. Your Committee notes that this skill is particularly important for a person serving as Deputy Director of Budget and Finance, as the role regularly requires decision-making that involves allocating limited resources to many compelling yet competing needs. Your Committee believes, based on Ms. Nasir's education, work experience, and demonstrated sincerity and commitment to the people of Hawaii and the health of the State's finances, that she possesses the necessary qualifications to serve as Deputy Director of the Department of Budget and Finance.

As 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, 12; Ayes with Reservations (Dela Cruz, Kidani, Fevella). Noes, none. Excused, 1 (Inouye).

**SCRep. 2009 Ways and Means on Gov. Msg. No. 518**

Recommending that the Senate advise and consent to the nomination of the following:

DIRECTOR, DEPARTMENT OF TAXATION

G.M. No. 518 GARY SUGANUMA, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal statement and resume submitted by Gary Suganuma for service as the Director of Taxation.

Your Committee received testimony in support of the nomination of Gary Suganuma from the Office of the Governor; Department of Transportation; Department of Law Enforcement; Department of Budget and Finance; Department of Labor and Industrial Relations; Department of Public Safety; Department of Commerce and Consumer Affairs; Department of Human Services; Department of Hawaiian Home Lands; Department of Land and Natural Resources; Department of Agriculture; Office of Enterprise Technology Services; Department of Finance for the County of Maui; County of Kauai; Pacific Resource Partnership; Yoshida & Associates;



Watanabe Ing, LLP; Tax Section of the Hawaii State Bar Association; Capitol Consultants of Hawaii, LLP; Hawaii Regional Council of Carpenters; and numerous individuals.

Upon review of the testimony and the nominee's qualifications, your Committee recognizes that Gary Suganuma earned a Bachelor's degree in Business Administration from the University of Hawaii and a Juris Doctor degree from the University of the Pacific. He served as a law clerk for two judges in the First Circuit Court and practiced as a litigation attorney for eleven years. He served as Deputy Attorney General in the Education Division of the Department of the Attorney General and has served since 2017 as the Supervising Deputy Attorney General in the Department's Tax and Charities Division. Your Committee believes that Gary Suganuma's expertise, experience, and commitment to public service make him highly qualified to serve as the Director of Taxation.

As 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, 13. Noes, none. Excused, none.

**SCRep. 2010 Ways and Means on Gov. Msg. No. 532**

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY DIRECTOR, DEPARTMENT OF TAXATION

G.M. No. 532 KRISTEN SAKAMOTO, for a term to expire 12-07-2026

Your Committee reviewed the personal statement and resume submitted by Ms. Kristen Sakamoto for service as the Deputy Director of the Department of Taxation.

Your Committee received testimony in support of the nomination for the appointment of Ms. Sakamoto from the Office of the Governor; Department of Agriculture; Department of Budget and Finance; Department of Commerce and Consumer Affairs; Department of Hawaiian Home Lands; Department of Human Services; Department of Labor and Industrial Relations; Department of Land and Natural Resources; Department of Law Enforcement; Department of Public Safety; Department of Transportation; Office of Enterprise Technology Services; Department of Budget and Fiscal Services City and County of Honolulu; Department of Finance of the County of Kauai; Department of Finance of the County of Maui; Capitol Consultants of Hawaii, LLP; Hawaii Regional Council of Carpenters; Pacific Resource Partnership; Tax Section of the Hawaii State Bar Association; and numerous individuals.

Upon review of the testimony and the nominee's qualifications, your Committee finds that the nominee has served as Deputy Corporation Counsel in the Finance Section of the Department of Budget and Fiscal Services of the City and County of Honolulu since August 2021. Your Committee notes that the nominee previously served as a Deputy Attorney General in the Tax and Charities Division of the Department of the Attorney General; an Administrative Rules Specialist in the Department of Taxation; an Associate Attorney at Bracamontes & Vlasak, P.C.; an Associate Attorney at Bradshaw & Associates, P.C.; a Judicial Extern to the Honorable Maxine M. Chesney; a Certified Law Clerk for the San Mateo County Counsel; and a Law Clerk for the Bay Area Legal Aid. Your Committee also notes that the nominee earned a Bachelor of Business Administration degree in Management Information Systems from the University of Hawaii at Manoa and a Juris Doctor degree from the University of California, Hastings College of the Law. Your Committee believes that Kristen Sakamoto's expertise, experience, and commitment to public service make her highly qualified to serve as the Deputy Director of the Department of Taxation.

As 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, 13. Noes, none. Excused, none.

**SCRep. 2011 Transportation and Culture and the Arts on Gov. Msg. No. 519**

Recommending that the Senate advise and consent to the nomination of the following:

DIRECTOR, DEPARTMENT OF TRANSPORTATION

G.M. No. 519 EDWIN SNIFFEN, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Edwin Sniffen for service as the Director of Transportation.

Your Committee received testimony in support of the nomination for the appointment of Edwin Sniffen from the Governor; Department of Taxation; Department of Land and Natural Resources; Department of Public Safety; Department of Human Services; Department of Human Resources Development; Department of Budget and Finance; Department of Health; Department of Agriculture; Department of Law Enforcement; Department of Hawaiian Home Lands; Department of Labor and Industrial Relations; Office of Enterprise Technology Services; Agribusiness Development Corporation; Hawaii Public Housing Authority; Hawaii Technology Development Corporation; one member of the House of Representatives; Mayor of the City and County of Honolulu; Mayor of the County of Kauai; Mayor of the County of Hawaii; Honolulu Board of Water Supply; Department of Facility Maintenance of the City and County of Honolulu; Department of Transportation Services of the City and County of Honolulu; Oahu Metropolitan Planning Organization; Department of Public Works of the County of Kauai; Department of Planning of the County of Kauai; one member of the Hawaii County Council; Ho'omana Pono, LLC; Airlines Committee of Hawaii; Hawaii Regional Council of Carpenters; Hawaii Transportation Association; Airlines for America; Hawaiian Airlines, Inc.; Hawaii Harbors Users Group; Matson Navigation Company, Inc.; International Longshore and Warehouse Union, Local 100; Young Brothers, LLC; Elizabeth Kahanu Hawaiian Civic Club;

Castle & Cooke Homes Hawai'i, Inc.; Hawaii Operating Engineers Industry Stabilization Fund Political Action Committee; Hawaiian Electric Industries; Sustainability Partners LLC; Pacific Resource Partnership; Hawaii Longshore Division of the International Longshore and Warehouse Union, Local 142; Oahu Motorsports Association; Smart Start LLC; Iron Workers Stabilization Fund; Hui 'Oihana – Hawai'i Island Native Hawaiian Chamber of Commerce; Association of Hawaiian Civic Clubs; Ulupono Initiative; General Contractors Association of Hawaii; Norwegian Cruise Line Holdings Ltd.; Hawaii Building & Construction Trades Council; Waimea Christmas Parade; International Brotherhood of Electric Workers, Local 1186; Operating Engineers Local Union No. 3; Airport Concessionaires Committee; Hawai'i Community Foundation; American Association of State Highway and Transportation Officials; International Longshore and Warehouse Union, Local 142; and one hundred eighty-one individuals. Your Committee received testimony in opposition to the nomination for the appointment of Edwin Sniffen from two individuals.

Upon review of the testimony, your Committee finds that Mr. Sniffen's experience and knowledge qualify him for appointment as the Director of Transportation. Mr. Sniffen has served as the interim Director of Transportation since December 2022 and has since worked closely with the leadership team of the Department to ensure Hawaii's transportation infrastructure operates efficiently and safely. Mr. Sniffen has served in the Department of Transportation for over a decade, most recently serving as the Deputy Director of Transportation – Highways Division. During his tenure, Mr. Sniffen oversaw seven hundred eighty employees and \$500 million in capital improvement projects, special maintenance projects, and operational funding. Additionally, Mr. Sniffen's scope of responsibilities also extended to leading the modernization efforts for highways statewide and leveraging highway resources toward the State's highest priorities, including the piloting of green materials for broad construction use and sustainability initiatives; leveraging highways resources toward broadband infrastructure for underserved communities; joint initiatives with high schools and the University of Hawaii College of Engineering to promote STEM curriculum; improving public access to highways data; pursuing affordable housing partnerships; and maximizing federal funding for the State. Mr. Sniffen also served as a leader during the coronavirus disease 2019 pandemic, where he led paperless initiatives and utilized highways facilities to provide timely updates and testing sites during the pandemic. More recently, Mr. Sniffen also assisted with the Red-Light Safety Program to ensure safety on state roads while also raising awareness on the dangers of distracted, impaired, and reckless driving. As Deputy Director, Mr. Sniffen also served as a representative of the State in high profile issues regarding highways funding, initiatives, facilities, and impacts, including serving as a primary point of contact with federal, state, and county agencies.

Your Committee also finds that Mr. Sniffen's experience in senior leadership, engineering, and government operations provide experience and institutional knowledge necessary to lead the Department of Transportation. As the Director of Transportation, Mr. Sniffen pledges to commit to address climate change and affirmed his vision to align Department of Transportation goals with statewide sustainability and climate change mitigation and adaptation policies, including collaboration with other federal, state, and county agencies to ensure a proactive approach to the challenges ahead. Your Committee notes that Mr. Sniffen also identified other Department of Transportation priorities during his tenure, including traffic management and enforcement to protect the State's roadways; establishing and expanding safe routes for other modes of travel for pedestrians, bikers, keiki, and kupuna; and diversifying the locations of economic sectors across the State to alleviate traffic congestion in the State's urban cores.

Your Committee further finds that Mr. Sniffen is an active member of his community. Mr. Sniffen served as Chair of the Committee on Transportation System Security and Resilience of the American Association of State Highway Transportation Officials Board and as Chair of the Audit Committee of the Western Association of State Highway Transportation Officials Board. Mr. Sniffen received a Bachelor of Science degree in civil engineering from Santa Clara University and he is a licensed professional engineer.

Your Committee believes that Mr. Sniffen's previous experience in senior leadership, engineering, and large-scale government operations qualify him to serve as the Director of Transportation. As a leader seeking inter-departmental solutions for a wide range of issues such as funding, staffing, infrastructure, and daily operations, Mr. Sniffen's noted reputation as an innovator will allow the Department of Transportation to move forward. Mr. Sniffen's experience will benefit the Department of Transportation as it strives to fulfill its mission to support the State's transportation infrastructure and address rising challenges to the State's goals. Your Committee therefore recommends that Edwin Sniffen be appointed as the Director of Transportation based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Transportation and 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 (Awa).

**SCRep. 2012 Labor and Technology on Gov. Msg. No. 515**

Recommending that the Senate advise and consent to the nomination of the following:

DIRECTOR, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

G.M. No. 515 JADE BUTAY, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Jade Butay for service as the Director of Labor and Industrial Relations.

Your Committee received testimony in support of the nomination for the appointment of Jade Butay from the Governor; Department of Labor and Industrial Relations; Department of Transportation; Department of Law Enforcement; Department of Budget and Finance; Department of Agriculture; Department of Defense; Department of Commerce and Consumer Affairs; Department of Public Safety; Department of Hawaiian Home Lands; Department of Land and Natural Resources; Department of Human Services; Department of Taxation; Department of Human Resources Development; Hawaii Public Housing Authority; Office of Enterprise Technology Services; Office of Community Services; Labor and Industrial Relations Appeals Board; Hawai'i Civil Rights Commission; Mayor of the City and County of Honolulu; Mayor of the County of Hawaii; Mayor of the County of Kauai; one member of the Maui County Council; Āliamanu-Salt Lake-Foster Village-Airport Neighborhood Board of the City and County of Honolulu;

Board of Water Supply of the City and County of Honolulu; Oahu Metropolitan Planning Organization; Hawaii Operating Engineers Industry Stabilization Fund Political Action Committee; Operating Engineers Local Union No. 3; Hawaii Laborers-Employers Cooperation and Education Trust; Retail Merchants of Hawaii; Work Injury Medical Association of Hawaii; United Public Workers, AFSCME Local 646, AFL-CIO; Airlines Committee of Hawaii; Unite Here Local 5; Waikiki Improvement Association; University of Hawaii Professional Assembly; Hawai'i Friends of Civil Rights; Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO; International Brotherhood of Electrical Workers Local 1260; Airport Concessionaires Committee; Oahu Filipino Community Council; Hawai'i State AFL-CIO; Filipinos for Affirmative Action; Environmental Caucus of the Democratic Party of Hawai'i; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; We Are Oceania; Hawai'i Lodging & Tourism Association; Nakem Conferences, Inc.; Hawaii Masons' and Plasterers' Unions Stabilization Fund; Hawaii Carpenters Apprenticeship and Training Fund; Hawaii Workers Center; Hawai'i Farm Bureau; Hawaii Medical Service Association; and one hundred six individuals. Your Committee received testimony in opposition to the nomination for the appointment of Jade Butay from two individuals. Your Committee received comments on the nomination for the appointment of Jade Butay from one individual.

Mr. Butay earned a Bachelor of Business Administration with Distinction from the University of Hawaii at Manoa and a Master of Business Administration from Babson College. Since then, he has accumulated twelve years of experience as a management consultant and over eleven years of experience in positions of leadership within the executive branch. Prior to being nominated to serve as the Director of Labor and Industrial Relations, Mr. Butay was the Director of Transportation, a position he has held since November 2017. Your Committee notes that Mr. Butay not only served as the Deputy Director of the Department of Transportation from 2011 to 2013, and 2014 to 2017, but also served as the Deputy Director of the Department of Labor and Industrial Relations from 2013 to 2014. Your Committee further notes that Mr. Butay has served as the interim Director of Labor and Industrial Relations since December 2022.

Your Committee recognizes the wide-ranging testimony it has received in support of Mr. Butay's nomination from both state and county departments, for-profit and nonprofit organizations, and numerous individuals across various industries and communities. Testimony in support of Mr. Butay's nomination speak positively to his character and professionalism, along with his many contributions to the Filipino community. In response to your Committee's questionnaire, Mr. Butay shared his vision to have a thriving workforce by enhancing current programs of the Department of Labor and Industrial Relations and developing new programs to positively impact the community and help displaced workers gain the skills necessary to rejoin the workforce.

Your Committee recognizes that it is the solemn responsibility of the Senate to evaluate whether the Governor's nominees are qualified for the position to which they are nominated. Your Committee notes that its assessment is based on the past performance of the nominee, the performance of the nominee during the public hearing, and testimony of those with direct knowledge of the nominee's ability to lead. Your Committee finds that the testifiers agree that Mr. Butay is attentive, collaborative, and personable. However, those who have worked directly with him report his lack of leadership, that his role as Director of Transportation was purely ceremonial as he acted as a caretaker rather than improving the organization. Your Committee thus has grave concerns about the ability of the nominee to lead the Department of Labor and Industrial Relations based on his performance to date. More is needed to meet the post-pandemic challenges, goals, and mission of the Department.

Your Committee believes that during this new administration, the State needs leaders who can address and solve the labor challenges that have emerged from the coronavirus disease 2019 pandemic. Your Committee further believes that the Director of Labor and Industrial Relations must be proactive and results-oriented to effectively and efficiently fulfill the mission of the Department. Hearing these concerns, Mr. Butay has committed to work more proactively with department managers and staff to address the State's workforce shortage, create incentives to retain talent in the State, care for workers of small businesses, and balance labor and management concerns. Therefore, while your Committee has concerns, based on the aforementioned commitment by the nominee, it recommends, with reservations, that Jade Butay be appointed as Director of Labor and Industrial Relations.

As affirmed by the record of votes of the members of your Committee on Labor and Technology 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; Ayes with Reservations (Lee, Moriwaki, Fevella). Noes, none. Excused, 1 (Keith-Agaran).

### **SCRep. 2013 Commerce and Consumer Protection on Gov. Msg. No. 602**

Recommending that the Senate advise and consent to the nomination of the following:

#### HAWAII MEDICAL BOARD

G.M. No. 602 ELIZABETH IGNACIO, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Elizabeth Ignacio for service on the Hawaii Medical Board.

Your Committee received testimony in support of the nomination for the appointment of Elizabeth Ignacio from the Department of Commerce and Consumer Affairs, Hawaii Medical Association, Hawai'i Radiological Society, and one individual. Your Committee received testimony in opposition to the nomination for the appointment of Elizabeth Ignacio from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her appointment.

Upon review of the testimony, your Committee finds that Dr. Ignacio's experience, background, and commitment to public service qualify her for appointment to the Hawaii Medical Board as a licensed allopathic physician member from Maui County. Your Committee notes that Dr. Ignacio has been a licensed physician in Hawaii since 2010 and is board certified by the American Board of Radiology in Diagnostic and Vascular and Interventional Radiology. Dr. Ignacio is currently employed with Hawaii Pacific Health Medical Group and Renaissance Imaging Medical Associates as a diagnostic and interventional radiologist. During the course of Dr. Ignacio's career, she has gained broad experience and knowledge in her field and has served in numerous advocacy and medical

society leadership roles in the State, including as President of the Hawaii Radiological Society; Delegate for the Council Steering Committee for the American College of Radiology; and in various roles for the Hawaii Medical Association where she currently serves as President elect. Dr. Ignacio was also at the forefront of the response to the coronavirus disease 2019 pandemic, serving on the HICOVID Healthcare Provider Task Force, Hawaii Statewide Provider Surge Capacity Committee, Maui COVID Testing Capacity Group, and Aloha Trace Coalition. Your Committee further notes that Dr. Ignacio has served as an interim member of the Hawaii Medical Board since 2023 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Elizabeth Ignacio be appointed to the Hawaii Medical Board based on her knowledge, experience, 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, 5. Noes, none. Excused, none.

**SCRep. 2014 (Majority) Commerce and Consumer Protection on Gov. Msg. No. 621**

Recommending that the Senate advise and consent to the nomination of the following:

STATE BOARD OF NURSING

G.M. No. 621 CARRIE OLIVEIRA, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Carrie Oliveira for service on the State Board of Nursing.

Your Committee received testimony in support of the nomination for the reappointment of Carrie Oliveira from the Board of Nursing, Hawai'i State Center for Nursing, and one individual. Your Committee received testimony in opposition to the nomination for the reappointment of Carrie Oliveira from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her reappointment.

Upon review of the testimony, your Committee finds that Dr. Oliveira's experience, knowledge, and proven leadership on the State Board of Nursing qualify her for reappointment to the State Board of Nursing as a public member. Your Committee notes that Dr. Oliveira has a Ph.D. in Communication and is an Associate Specialist for Workforce Research with the Hawaii State Center for Nursing, where she has improved the timeliness and distribution of the Center's research and solely produced the State's largest research undertaking related to nurses since 2016, which has been presented at the national level. Dr. Oliveira previously served as the Director of Research with SMS Research and Marketing Services, Inc. and spent a number of years as a professor at East Tennessee State University, including time as the Associate Chair of Curriculum for the Department of Communication. Your Committee further finds that Dr. Oliveira has served on the State Board of Nursing since 2019 and currently serves as Chair. Accordingly, Dr. Oliveira's experience and knowledge will continue to be assets to the State Board of Nursing. Your Committee notes that, although this is Dr. Oliveira's third consecutive appointment, she has served on the State Board of Nursing for only a total of four years, which is less than the maximum eight years allowed by section 457-3, Hawaii Revised Statutes. Accordingly, Dr. Oliveira's experience and knowledge will continue to be assets to the State Board of Nursing. Your Committee therefore recommends that Carrie Oliveira be reappointed to the State Board of Nursing 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 (Awa). Excused, none.

**SCRep. 2015 Commerce and Consumer Protection on Gov. Msg. Nos. 603, 619, and 620**

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF PHARMACY

G.M. No. 603 BRANDON RABANG, for a term to expire 06-30-2026;

G.M. No. 619 PATRICK ADAMS, for a term to expire 06-30-2027; and

G.M. No. 620 CATALINA CROSS, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Brandon Rabang, Patrick Adams, and Catalina Cross for service on the Board of Pharmacy.

BRANDON RABANG

Your Committee received testimony in support of the nomination for the appointment of Brandon Rabang from the Department of Commerce and Consumer Affairs and two individuals. Your Committee received testimony in opposition to the nomination for the appointment of Brandon Rabang from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Rabang's experience, background, and commitment to public service qualify him for appointment to the Board of Pharmacy as a public member. Your Committee notes that Mr. Rabang is currently an Executive Hybrid Territory Specialist and Direct Sales Trainer for Janssen Pharmaceutical, Inc. where he is responsible for achieving sales quota and business objectives within the Hawaii region. During the course of Mr. Rabang's career, he has gained broad

experience and knowledge about the pharmaceutical industry pertaining to cardiovascular and internal medicine and has developed relationships with physicians, medical practices and staff, hospitals, hospital networks, clinics, purchasing departments, pharmacies, and other pertinent stakeholders. Your Committee further notes that Mr. Rabang has served as an interim member of the Board of Pharmacy since 2022 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Brandon Rabang be appointed to the Board of Pharmacy based on his knowledge, experience, and commitment to public service.

#### PATRICK ADAMS

Your Committee received testimony in support of the nomination for the reappointment of Patrick Adams from the Board of Pharmacy and one individual. Your Committee received testimony in opposition to the nomination for the reappointment of Patrick Adams from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Adams's background, knowledge, and proven leadership on the Board of Pharmacy qualify him for reappointment to the Board as a pharmacist member. Your Committee notes that Mr. Adams has over twenty years of experience in pharmacy and was most recently the Director of Pharmacy at Malama Compounding Pharmacy. Prior to that, Mr. Adams served as the Director of Pharmacy at Foodland Supermarkets; the Community Affairs Director at the University of Hawaii at Hilo, Daniel K. Inouye College of Pharmacy; and a pharmacy manager in Washington and Hawaii. Mr. Adams has also received additional education as a pharmacist to perform specialized duties and holds national qualifications and certificates to train pharmacists in various areas. Your Committee further finds that Mr. Adams has served on the Board of Pharmacy since 2020 and his experience and knowledge will continue to be assets to the Board of Pharmacy. Your Committee therefore recommends that Patrick Adams be reappointed to the Board of Pharmacy based on his experience, background, and dedication to public service.

#### CATALINA CROSS

Your Committee received testimony in support of the nomination for the reappointment of Catalina Cross from the Board of Pharmacy; First Vitals Health and Wellness, Inc.; and four individuals. Your Committee received testimony in opposition to the nomination for the reappointment of Catalina Cross from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her appointment.

Upon review of the testimony, your Committee finds that Dr. Cross's knowledge, experience, and dedication to community service qualify her for reappointment to the Board of Pharmacy as a public member. Your Committee notes that Dr. Cross holds a Ph.D. in Public Policy and Administration and is the current General Manager for Pharmacare Hawaii, where she develops and implements strategies to increase financial growth of retail pharmacy and third party administrator services. Dr. Cross is also a member of the National Community Pharmacists Association; was previously a co-chair of Maui Community Health Partners; and Dean's Council Member of the University of Hawaii at Hilo, Daniel K. Inouye College of Pharmacy. Your Committee further finds that Dr. Cross has served on the Board of Pharmacy since 2019 and her knowledge and experience as a public member will continue to enhance the effectiveness of the Board of Pharmacy. Your Committee therefore recommends that Catalina Cross be reappointed to the Board of Pharmacy based on her background, knowledge, and continued desire to serve her 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, 5. Noes, none. Excused, none.

#### **SCRep. 2016 Commerce and Consumer Protection on Gov. Msg. Nos. 614, 617, and 640**

Recommending that the Senate advise and consent to the nominations of the following:

#### BOARD OF ELECTRICIANS AND PLUMBERS

G.M. No. 614 PHILLIP LUCERO, for a term to expire 06-30-2027;

G.M. No. 617 ROBERT BARRETT, for a term to expire 06-30-2027; and

G.M. No. 640 SHEUNG MAN WONG, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Phillip Lucero, Robert Barrett, and Sheung Man Wong for service on the Board of Electricians and Plumbers.

#### PHILLIP LUCERO

Your Committee received testimony in support of the nomination for the appointment of Phillip Lucero from the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition to the nomination for the appointment of Phillip Lucero from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Lucero's experience, knowledge, and prior leadership on the Board of Electricians and Plumbers qualify him for reappointment to the Board of Electricians and Plumbers as a licensed electrician member. Your Committee notes that Mr. Lucero has thirty-one years of experience in the contracting industry and has been licensed as an electrician in Hawaii since 1992. Mr. Lucero is the owner of Preferred Electricians, LLC and previously served as Vice President of Electricians, Inc. Mr. Lucero is also a subject matter expert for the National Association of State Contractors Licensing Agencies Electricians Exam. Your Committee further finds that Mr. Lucero previously served two terms on the Board of Electricians and Plumbers and was elected as Chair and served on the Applications Review Committee. Mr. Lucero's experience and knowledge will

continue to enhance the effectiveness of the Board of Electricians and Plumbers. Your Committee therefore recommends that Phillip Lucero be appointed to the Board of Electricians and Plumbers based on his experience, knowledge, and continued desire to serve the public.

ROBERT BARRETT

Your Committee received testimony in support of the nomination for the reappointment of Robert Barrett from the Board of Electricians and Plumbers, one member of the Honolulu City Council, and two individuals. Your Committee received testimony in opposition to the nomination for the appointment of Robert Barrett from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Barrett's background, knowledge, and proven leadership on the Board of Electricians and Plumbers qualify him for reappointment to the Board of Electricians and Plumbers as a public member. Your Committee notes that Mr. Barrett has over thirty years of experience in the construction industry and is the President and co-owner of Coastal Windows, Inc., a family owned and operated vinyl window and door manufacturer in Hawaii that has grown into a state of the art manufacturing facility and earned recognition and honors at the state and national level. Your Committee further notes that Mr. Barrett is an active participant in his community and serves as a member of numerous other boards, councils, and associations, including his role as Chairman of the Parent Advisory Council, Chairman of the Parish Pastoral Advisory Council, President of the Board of Directors for the Mililani Town Association, and President of the Gentry Waipio Industrial Area Association. Your Committee finds that Mr. Barrett has served on the Board of Electricians and Plumbers since 2019 and currently serves as Vice President. Mr. Barrett's local business acumen, deliberative experience, and valuable consumer perspective will continue to be assets to the Board of Electricians and Plumbers. Your Committee therefore recommends that Robert Barrett be reappointed to the Board of Electricians and Plumbers based on his knowledge, background, and dedication to public service.

SHEUNG MAN WONG

Your Committee received testimony in support of the nomination for the reappointment of Sheung Man Wong from the Board of Electricians and Plumbers and one individual. Your Committee received testimony in opposition to the nomination for the reappointment of Sheung Man Wong from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Wong's experience, knowledge, and proven leadership on the Board of Electricians and Plumbers qualify him for reappointment to the Board of Electricians and Plumbers as a licensed plumber member. Your Committee notes that Mr. Wong has been a licensed plumber in Hawaii since 2010 and currently works with Gordon Mechanical, LLC as its Vice President of Operations. During his career, Mr. Wong has worked on various commercial, residential, and mixed-use projects, and has worked as a plumber apprentice, journeyman, foreman, and supervisor and understands the requirements for regulating electrical and plumbing professionals. Your Committee further finds that Mr. Wong has served on the Board of Electricians and Plumbers since 2019, previously served as Vice Chair, and is currently serving as its Chair and as a member of the Applications Review Committee. Mr. Wong's active leadership, experience, and knowledge will continue to benefit the Board of Electricians and Plumbers. Your Committee therefore recommends that Sheung Man Wong be reappointed to the Board of Electricians and Plumbers based on his experience, background, and demonstrated leadership.

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, 5. Noes, none. Excused, none.

**SCRep. 2017 Commerce and Consumer Protection on Gov. Msg. No. 508**

Recommending that the Senate advise and consent to the nomination of the following:

DIRECTOR, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

G.M. No. 508 NADINE ANDO, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Nadine Ando for service as the Director of the Department of Commerce and Consumer Affairs.

Your Committee received testimony in support of the nomination for the appointment of Nadine Ando from the Governor; Department of Agriculture; Department of Budget and Finance; Department of Commerce and Consumer Affairs; Department of Health; Department of Human Resources Development; Department of Human Services; Department of Labor and Industrial Relations; Department of Land and Natural Resources; Department of Taxation; Department of Transportation; Hawaii Public Housing Authority; Healthcare Association of Hawaii; Kaiser Permanente Hawai'i; American Resort Development Association - Hawaii; Capitol Consultants of Hawaii, LLP; Hawai'i Association of REALTORS; Hawaii Electricians Market Enhancement Program; Hawaii Medical Service Association; International Brotherhood of Electrical Workers Local Union No. 1186; Imanaka Asato; Marriott Vacations Worldwide Corporation; Hawaii Credit Union League; and forty-six individuals. Your Committee received testimony in opposition to the nomination for the appointment of Nadine Ando from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her appointment.

Upon review of the testimony, your Committee finds that Ms. Ando's background, experience, and commitment to public service qualify her for appointment as Director of Commerce and Consumer Affairs. Ms. Ando has served as interim Director of Commerce and Consumer Affairs since December 2022. At the time of her appointment, Ms. Ando was working as litigation counsel with the law firm of Fukunaga Matayoshi Ching & Kon-Herrera, LLP. Ms. Ando serves on the Advisory Committee of the Bar Leadership Institute; as Chair and Commissioner of the Hawaii State Judicial Selection Commission; and is the Lawyer-Delegate for the United States

District Court, Hawaii Judicial Conference. Ms. Ando has extensive background in commercial and real estate litigation, professional liability law, insurance coverage, products liability, and employment litigation, having been a partner with some of the State's most highly respected law firms over the course of her forty year career as an attorney. Ms. Ando has received consistent professional recognition for her work, having been listed in Best Lawyers of America and Super Lawyers for her commercial litigation practice since 2006 and 2008, respectively.

Overwhelming testimony indicates that Ms. Ando is respected by her colleagues. Testimony in support of her nomination indicates that she has a proven track record of being a diligent worker, an effective problem solver, and an open-minded leader. Testifiers who have worked closely with Ms. Ando commented that, in her time as Interim Director of Commerce and Consumer Affairs, she has demonstrated her ability to quickly grasp and understand complex issues facing the Department. Other testifiers noted that Ms. Ando brings a leadership style that welcomes collaboration and ideas for improvement.

Your Committee notes from Ms. Ando's personal statement that her vision for the Department of Commerce and Consumer Affairs is to modernize processes across the Department, improve efficiency and customer engagement with the Department for public facing agencies, and streamline workload processes for Department staff. Ms. Ando also highlighted the need to provide cross division access to data and information to increase the Department's ability to flag individuals and business entities who are not in compliance with state law; address vacancy and retention issues within the Department, as well as succession planning for divisions for employees with institutional knowledge; improve professional and vocational licensing processes to alleviate the shortage of critical workers; and encourage telecommunications providers to expand infrastructure and access to unserved and underserved communities in the State.

Your Committee finds that Ms. Ando's leadership abilities, professional experience, and accomplishments will be valuable assets to the Department of Commerce and Consumer Affairs, the State of Hawaii, and its consumers and businesses. Your Committee therefore recommends that Nadine Ando be appointed as the Director of Commerce and Consumer Affairs based on her extensive knowledge, background, and dedication to serving the public.

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, 5. Noes, none. Excused, none.

**SCRep. 2018 Commerce and Consumer Protection on Gov. Msg. Nos. 622, 623, 642, and 645**

Recommending that the Senate advise and consent to the nominations of the following:

CONTRACTORS LICENSE BOARD

- G.M. No. 622 PAUL ALEJADO, for a term to expire 06-30-2027;
- G.M. No. 623 ERIC HIGASHIHARA, for a term to expire 06-30-2027;
- G.M. No. 642 RANDALL LAU, for a term to expire 06-30-2027; and
- G.M. No. 645 DARYL SUEHIRO, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Paul Alejado, Eric Higashihara, Randall Lau, and Daryl Suehiro for service on the Contractors License Board.

PAUL ALEJADO

Your Committee received testimony in support of the nomination for the reappointment of Paul Alejado from the Contractors License Board; Commercial Roofing & Waterproofing HI, Inc.; and one individual. Your Committee received testimony in opposition to the nomination for the reappointment of Paul Alejado from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his reappointment.

Upon review of the testimony, your Committee finds that Mr. Alejado's experience, knowledge, and proven leadership on the Contractors License Board qualify him for reappointment to the Contractors License Board as a general contractor member. Your Committee notes that Mr. Alejado has over thirty-five years of experience in the construction industry and has been licensed as a general building contractor in Hawaii since 2004. Mr. Alejado currently serves as the President of Noa Pacific Construction and prior to that worked as a field superintendent and chief estimator for bidding and securing projects. Your Committee further finds that Mr. Alejado has served on the Contractors License Board since 2019 and his experience and knowledge will continue to be assets to the Contractors License Board. Your Committee therefore recommends that Paul Alejado be reappointed to the Contractors License Board based on his experience, knowledge, and commitment to public service.

ERIC HIGASHIHARA

Your Committee received testimony in support of the nomination for the reappointment of Eric Higashihara from the Contractors License Board and one individual. Your Committee received testimony in opposition to the nomination for the reappointment of Eric Higashihara from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his reappointment.

Upon review of the testimony, your Committee finds that Mr. Higashihara's knowledge, background, and proven leadership on the Contractors License Board qualify him for reappointment to the Contractors License Board as a public member. Your Committee notes that Mr. Higashihara has over twenty-five years of experience as a private wealth advisor and has owned an Ameriprise Financial franchise since 1997. Additionally, Mr. Higashihara has served on several boards and committees, including on the Board of Trustees at Assets School, as a Finance Committee member for Mid-Pacific Country Club, as Treasurer for Punahou Aquatics, and on the Board of Governors of the Japanese Cultural Center of Hawaii. Your Committee further finds that Mr. Higashihara has served on the

Contractors License Board since 2019 and his background and perspective as a public member will continue to enhance the effectiveness of the Contractors License Board. Your Committee therefore recommends that Eric Higashihara be reappointed to the Contractors License Board based on his knowledge, experience, and continued desire to serve the public.

RANDALL LAU

Your Committee received testimony in support of the nomination for the appointment of Randall Lau from the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition to the nomination for the appointment of Randall Lau from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Lau's experience, background, and proven leadership on the Contractors License Board qualify him for appointment to the Contractors License Board as a general contractor member. Your Committee notes that Mr. Lau has thirty-five years of experience in the construction industry and has been licensed as a general building contractor in Hawaii since 1991. Mr. Lau is currently the principal RME for CEG Solutions, LLC and prior to that was a consultant and sole proprietor for Randy Lau & Associates. Your Committee further finds that Mr. Lau previously served on the Contractors License Board from 2010-2014 and served four years as the Chair. Mr. Lau's professional background and prior leadership experience will be assets to the Contractors License Board. Your Committee therefore recommends that Randall Lau be appointed to the Contractors License Board based on his experience, background, and dedication to public service.

DARYL SUEHIRO

Your Committee received testimony in support of the nomination for the appointment of Daryl Suehiro from the Department of Commerce and Consumer Affairs, Electrical Contractor's Association of Hawai'i, International Brotherhood of Electrical Workers Local Union No. 1186, and Hawaii Electricians Market Enhancement Program. Your Committee received testimony in opposition to the nomination to the appointment of Daryl Suehiro from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Suehiro's experience, background, and prior leadership on the Contractors License Board qualify him for appointment to the Contractors License Board as a specialty contractor member. Your Committee notes that Mr. Suehiro has over thirty-five years of experience working as a licensed electrical contractor and licensed journey worker electrician. Mr. Suehiro is currently the President of D. Suehiro Electric, Inc., and the Vice President of 808 Underground Utilities, Inc. Your Committee further finds that Mr. Suehiro previously served on the Contractors License Board from 2008 to 2016 and his experience as a specialty contractor and unique knowledge will continue to be assets to the Contractors License Board. Your Committee therefore recommends that Daryl Suehiro be appointed to the Contractors License Board based on his experience, knowledge, and desire to serve his 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, 5. Noes, none. Excused, none.

**SCRep. 2019 Commerce and Consumer Protection on Gov. Msg. Nos. 592 and 625**

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF PSYCHOLOGY

G.M. No. 592 JEFFREY STERN, for a term to expire 06-30-2026; and

G.M. No. 625 JILL OLIVEIRA CABBAB, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Jeffrey Stern and Jill Oliveira Cabbab for service on the Board of Psychology.

JEFFREY STERN

Your Committee received testimony in support of the nomination for the appointment of Jeffrey Stern from the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition to the nomination for the appointment of Jeffrey Stern from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Dr. Stern's experience, background, and commitment to public service qualify him for appointment to the Board of Psychology as a licensed member. Your Committee notes that Dr. Stern has been a licensed psychologist since 2004 and has performed clinical work with an emphasis on children's mental health while working in his private practice and in schools such as Iolani School. During the course of Dr. Stern's career, he has gained broad experience and knowledge about the field of child psychology, including those suffering from neurodevelopmental disabilities. Dr. Stern has also been highly active in educating and training future Hawaii psychologists through his time spent mentoring students on basic principles of research at Iolani School and within multiple doctoral level training programs, including his current roles as Assistant Professor at Chaminade University and Lecturer at University of Hawaii at Manoa. Your Committee further notes that Dr. Stern has served as an interim member of the Board of Psychology since 2022 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Jeffrey Stern be appointed to the Board of Psychology based on his knowledge, experience, and commitment to public service.



JILL OLIVEIRA CABBAB

Your Committee received testimony in support of the nomination for the reappointment of Jill Oliveira Cabbab from the Board of Psychology, Hawaii Psychological Association, and one individual. Your Committee received testimony in opposition to the nomination for the reappointment of Jill Oliveira Cabbab from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her reappointment.

Upon review of the testimony, your Committee finds that Dr. Oliveira Cabbab's professional experience, knowledge, and proven leadership qualify her for reappointment to the Board of Psychology as a licensed member. Your Committee notes that Dr. Oliveira Cabbab has over twenty years of experience in psychology and has been licensed as a clinical psychologist in Hawaii since 2002. Dr. Oliveira Cabbab currently serves as a Behavioral Health Consultant for Tripler Army Medical Center and maintains a private practice as a Clinical Psychologist. Dr. Oliveira Cabbab also has experience working within training programs, such as I Ola Lāhui where, from 2013-2020, she was the Director of Training. Your Committee further finds that Dr. Oliveira Cabbab has served on the Board of Psychology since 2017. Your Committee notes that, although it finds Dr. Oliveira Cabbab qualified to serve on the Board of Psychology, it appears that she has served on the Board of Psychology continuously since 2017 and thus the stated term of this reappointment will exceed the maximum eight consecutive years of service allowed by section 26-34, Hawaii Revised Statutes. Until then, Dr. Oliveira Cabbab's leadership, experience, and knowledge will continue to be assets to the Board of Psychology. Your Committee therefore recommends that Jill Oliveira Cabbab be reappointed to the Board of Psychology based on her experience, 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, 5. Noes, none. Excused, none.

**SCRep. 2020 Commerce and Consumer Protection on Gov. Msg. Nos. 548, 549, 613, and 615**

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF DENTISTRY

- G.M. No. 548 JONATHAN LAU, for a term to expire 06-30-2026;
- G.M. No. 549 CRAIG YAMAMOTO, for a term to expire 06-30-2023;
- G.M. No. 613 ANDREW TSEU, for a term to expire 06-30-2027; and
- G.M. No. 615 JOYCE YAMADA, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Jonathan Lau, Craig Yamamoto, Andrew Tseu, and Joyce Yamada for service on the Board of Dentistry.

JONATHAN LAU

Your Committee received testimony in support of the nomination for the appointment of Jonathan Lau from the Department of Commerce and Consumer Affairs, Hawaii Dental Association, and five individuals. Your Committee received testimony in opposition to the nomination for the appointment of Jonathan Lau from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Dr. Lau's experience, background, and commitment to public service qualify him for appointment to the Board of Dentistry as a dentist member from Maui. Your Committee notes that Dr. Lau has been a dentist for over thirty years and currently serves as an associate dentist with the Wailuku Dental Group. Previously, Dr. Lau served as a principal dentist and president of the Wailuku Dental Group, Inc. for nearly thirty years where he gained broad experience and knowledge about general restorative dentistry and worked with a wide range of patients from children to the elderly. As a dentist from Maui who has experience working as a sole practitioner and in a large group practice setting, Dr. Lau is uniquely equipped to share the perspectives and concerns of the Maui dental community and provide representation for Maui County. Your Committee further notes that Dr. Lau is an active volunteer in his community and has served as an interim member of the Board of Dentistry since July 2022 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Jonathan Lau be appointed to the Board of Dentistry based on his knowledge, experience, and commitment to public service.

CRAIG YAMAMOTO

Your Committee received testimony in support of the nomination for the appointment of Craig Yamamoto from the Department of Commerce and Consumer Affairs, Hawaii Dental Association, and one individual. Your Committee received testimony in opposition to the nomination for the appointment of Craig Yamamoto from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Dr. Yamamoto's knowledge, experience, and dedication to public service qualify him for appointment to the Board of Dentistry as a dentist member from Oahu. Your Committee notes that Dr. Yamamoto has been a dentist for over thirty years and has been licensed in Hawaii since 1992. Dr. Yamamoto is an oral surgeon in private practice and founded Oral Surgery Hawaii in 1999. Dr. Yamamoto also donates his time as a volunteer dentist with the Kalihi Kokua Valley Health Center, Dental Samaritans, and American Dental Association. Your Committee further notes that Dr. Yamamoto has served as an active leader with a number of professional organizations, including the Hawaii Society of Oral and Maxillofacial Surgeons, Hawaii Dental Society, and Honolulu County Dental Society. Dr. Yamamoto has served as an interim member of the Board of Dentistry since

July 2022 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Craig Yamamoto be appointed to the Board of Dentistry based on his experience, background, and desire to serve his community.

#### ANDREW TSEU

Your Committee received testimony in support of the nomination for the reappointment of Andrew Tseu from the Board of Dentistry, Hawai'i Public Health Institute, and one individual. Your Committee received testimony in opposition of the nomination to the reappointment of Andrew Tseu from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his reappointment.

Upon review of the testimony, your Committee finds that Dr. Tseu's background, knowledge, and proven leadership on the Board of Dentistry qualify him for reappointment to the Board of Dentistry as a dentist member from Oahu. Your Committee notes that Dr. Tseu has been a licensed dentist in Hawaii since 1999 and is currently the Hospital and Community Dental Services Branch Chief and an Administrative Hearings Officer for the Department of Health. Dr. Tseu is also a dentist for the State of Hawaii Medicaid Organ and Tissue Transplant Program. Your Committee further notes that Dr. Tseu also possesses a Juris Doctor degree, is a member of the Hawaii State Bar Association, and is well-versed in Hawaii's laws surrounding dentistry. Dr. Tseu is also a member of several professional organizations and associations, including Dental Lifeline Hawaii and Hawaii Oral Health Coalition. Your Committee further finds that Dr. Tseu has served on the Board of Dentistry since 2019 and currently serves as Vice Chair. Your Committee finds that Dr. Tseu's legal background and experience working in the public health sector will allow him to continue to provide a unique perspective to the Board of Dentistry. Your Committee therefore recommends that Andrew Tseu be reappointed to the Board of Dentistry based on his experience, knowledge, and dedication to public service.

#### JOYCE YAMADA

Your Committee received testimony in support of the nomination for the reappointment of Joyce Yamada from the Board of Dentistry and two individuals. Your Committee received testimony in opposition to the nomination for the appointment of Joyce Yamada from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to her reappointment.

Upon review of the testimony, your Committee finds that Ms. Yamada's knowledge, experience, and proven leadership on the Board of Dentistry qualify her for reappointment to the Board of Dentistry as a dental hygienist member from Maui. Your Committee notes that Ms. Yamada has been working as a licensed dental hygienist in Hawaii since 1985, is a certified dental assistant, and has held various roles at the University of Hawaii Maui College since 2002, including her current roles as a professor and coordinator for the dental assisting program. Ms. Yamada is an active participant within her community and profession and serves as a member and former officer of the Maui County Dental Hygienists' Association and is an advocate for dental health, having launched a number of community outreach initiatives on Maui. Your Committee further finds that Ms. Yamada is an active member in her profession and currently serves as a member of the American Dental Hygiene Association, American Dental Assistants Association of University Women, and the Healthy Eating, Healthy Living Coalition. Ms. Yamada has served on the Board of Dentistry since 2019 and her experience and knowledge will continue to enhance the effectiveness of the Board of Dentistry. Your Committee therefore recommends that Joyce Yamada be reappointed to the Board of Dentistry based on her knowledge, proven leadership, and desire to serve 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, 5. Noes, none. Excused, none.

#### **SCRep. 2021 Government Operations on Gov. Msg. Nos. 589, 590, 610, 611, and 661**

Recommending that the Senate advise and consent to the nominations of the following:

#### PROCUREMENT POLICY BOARD

- G.M. No. 589 LANCE INOUYE, for a term to expire 06-30-2023;
- G.M. No. 590 RICHARD HELTZEL, for a term to expire 06-30-2025;
- G.M. No. 610 DIANE NAKAGAWA, for a term to expire 06-30-2026;
- G.M. No. 611 LISA MARUYAMA, for a term to expire 06-30-2024; and
- G.M. No. 661 LANCE INOUYE, for a term to expire 06-30-2027

Your Committee reviewed the personal histories, resumes, and statements submitted by Lance Inouye, Richard Heltzel, Diane Nakagawa, and Lisa Maruyama for service on the Procurement Policy Board.

#### LANCE INOUYE

Your Committee received testimony in support of the nominations for the appointment and reappointment of Lance Inouye from the State Procurement Office, General Contractors Association of Hawaii; Matson Navigation Company, Inc.; Royal Contracting Co., Ltd; S&M Sakamoto, Inc.; Hawaii Laborers-Employers Cooperation and Education Trust; Koga Engineering & Construction, Inc.; Nordic PCL Construction, Inc.; D&C Plumbing, Inc.; Alan Shintani, Inc.; Civil-Mechanical Contractor, Inc.; SSFRM International, Inc.; and six individuals.

Upon review of the testimony, your Committee finds that Mr. Inouye's contracting background qualifies him for appointment and reappointment to the Board as a member with five years of high-level construction procurement experience. Your Committee notes

that Mr. Inouye is President and Chief Executive Officer of Ralph S. Inouye Co., Ltd. where he has spent over forty years in the construction business. Previously, he worked as an attorney in private practice and a Deputy Attorney General. Mr. Inouye has served on numerous boards, including the Hawaii State Land Use Commission, General Contractors Association of Hawaii, Hawaii Operating Engineers Health and Welfare Fund, Shriners Hospital Capital Campaign Committee, Academy of the Pacific Board, and Department of Education Advisory Committee. In addition to his many years of construction experience in Hawaii, Mr. Inouye has extensive knowledge of the Hawaii Procurement Code. Your Committee therefore finds that Lance Inouye's knowledge, background, and experience with the construction procurement process in Hawaii will be valuable assets to the Procurement Policy Board.

#### RICHARD HELTZEL

Your Committee received testimony in support of the nomination for appointment of Richard Heltzel from the State Procurement Office; General Contractors Association of Hawaii; Matson Navigation Company, Inc.; S&M Sakamoto, Inc.; Civil-Mechanical Contractor; Royal Contracting Co., Ltd; SSFM International, Inc.; Elite Pacific Construction, Inc.; D&C Plumbing, Inc.; Nordic PCL Construction, Inc.; Koga Engineering and Construction, Inc.; Alan Shintani, Inc.; and six individuals.

Upon review of the testimony, your Committee finds that Mr. Heltzel's maritime construction background qualifies him for appointment to the Board as a member with five years of general procurement experience. Mr. Heltzel is a licensed civil engineer and has over forty years of maritime construction experience, including thirty-eight years of experience with the procurement process of the State and local agencies as well as federal contracts. Mr. Heltzel is currently the President of Healy Tibbitts Builders, Inc., where he is directly responsible for planning and execution of the company's ongoing and completed projects. Prior to serving as President, he was the company's Vice President and Project Manager. Mr. Heltzel is affiliated with several professional organizations, including the General Contractors Association of Hawaii, where he has previously served as Vice President, President, and Chairman of the Legislative Committee; Associated General Contractors of America; and American Society of Civil Engineers. Your Committee was concerned that the other nominees represented general contractors and thus there would not be a voice for the subcontractors on the Procurement Policy Board. During the hearing, Mr. Heltzel indicated that he held multiple subcontractor licenses in his own right and as such will advocate for the subcontractor community on issues that affect them. Accordingly, your Committee finds that Mr. Heltzel would provide a necessary voice on the board by ensuring representation of subcontractors. Your Committee therefore finds that Richard Heltzel's knowledge, background, and experience will be valuable assets to the Procurement Policy Board.

#### DIANE NAKAGAWA

Your Committee received testimony in support of the nomination for appointment of Diane Nakagawa from the State Procurement Office, Office of the Mayor of the County of Hawai'i, Department of Parks and Recreation of the County of Hawai'i, Finance Department of the County of Hawai'i, Office of the Corporation Counsel of the County of Hawai'i, Department of Research and Development of the County of Hawai'i, Office of the County Clerk of the County of Hawai'i, Department of Finance of the County of Maui, and four individuals.

Upon review of the testimony, your Committee finds that Ms. Nakagawa's work in county and local government and community-based organizations qualify her for appointment to the Board as a member with five years of high-level county procurement experience. Your Committee notes that Diane Nakagawa has served as the Deputy Director of the Finance Department of the County of Hawai'i since May 2022. Prior to this, she served as the County's Purchasing Agent, overseeing procurement, with the exception of construction-related contracts, for all county departments. During her time with the County of Hawai'i, she has implemented several critical initiatives such as developing a procurement training program for employees and a development program for businesses to promote competition in the marketplace. Ms. Nakagawa previously worked for the City of Phoenix, Arizona, and the Gilbert Chamber of Commerce in Arizona. She has over twenty years of experience working in economic development and public administration and has been instrumental in guiding executive and legislative branches with understanding statutory requirements for all procurement processes. Your Committee therefore finds that Diane Nakagawa's experience, personal knowledge, and demonstrated interest in public service will be valuable assets to the Procurement Policy Board.

#### LISA MARUYAMA

Your Committee received testimony in support of the nomination for appointment of Lisa Maruyama from the State Procurement Office; Maui Economic Opportunity, Inc.; Oahu Economic Development Board; YWCA O'ahu; The Institute for Human Services, Inc.; Partners in Development Foundation; EPIC 'Ohana, Inc.; Transform Hawai'i Government; Hawai'i Public Health Institute; Domestic Violence Action Center; Parents and Children Together; Hawai'i Community Foundation; Hawai'i Appleseed Center for Law and Economic Justice; National Council of Nonprofits; Hawai'i Children's Action Network Speaks!; and fifteen individuals.

Upon review of the testimony, your Committee finds that Ms. Maruyama's nonprofit background qualifies her for appointment to the Board as a member with five years of general procurement experience. Your Committee notes that Ms. Maruyama currently is the President and Chief Executive Officer of the Hawaii Alliance of Nonprofit Organizations, which provides support and services to Hawaii's nonprofit organizations to improve their overall management, including professional development opportunities for staff and boards of directors in program development and implementation, financial management, fundraising, marketing, community relations, and advocacy. Her professional experience includes serving as Interim Executive Director of the Women's Fund of Hawaii, Marketing Consultant for the Hawaii Alliance of Nonprofit Organizations, Marketing Consultant for the Hawaii Forest Industry Association, Vice President of Public Affairs at Bright Light Marketing, Executive Director of the Pacific and Asian Affairs Council, and Executive Director of the Mental Health Association in Hawaii. Your Committee further finds that Ms. Maruyama has successfully convened and maintained meetings among Hawaii's nonprofit leaders to have honest and candid conversations about the government and procurement system so that government agencies and nonprofit organizations can work collaboratively as partners. Your Committee therefore finds that Lisa Maruyama's knowledge, working experience, and desire to contribute to the community will be valuable assets to the Procurement Policy Board.

As affirmed by the records of votes of the members of your Committee on Government Operations 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 (Awa).

**SCRep. 2022 Commerce and Consumer Protection on Gov. Msg. No. 588**

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF OPTOMETRY

G.M. No. 588 WALLACE KOJIMA, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Wallace Kojima for service on the Board of Optometry.

Your Committee received testimony in support of the nomination for the reappointment of Wallace Kojima from the Board of Optometry. Your Committee received testimony in opposition to the nomination for the reappointment of Wallace Kojima from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Dr. Kojima's experience, knowledge, and proven leadership on the Board of Optometry qualify him for reappointment to the Board of Optometry as a licensed optometrist member who does not live in the City & County of Honolulu. Your Committee notes that Dr. Kojima has been a licensed optometrist for over thirty years and has been in private practice in Kailua-Kona, Hawaii, since 2004. Dr. Kojima previously served as a manager and optometrist for Lenscrafters/Eyexam 2000, and prior to that, practiced with Kojima and Sakamoto, O.D. Inc. Your Committee further finds that Dr. Kojima is a member of multiple professional affiliations, including the Hawaii Optometric Association and American Optometric Association. Dr. Kojima has served on the Board of Optometry since 2019 and his experience and knowledge will continue to be assets to the Board of Optometry. Your Committee therefore recommends that Wallace Kojima be reappointed to the Board of Optometry 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, 5. Noes, none. Excused, none.

**SCRep. 2023 Commerce and Consumer Protection on Gov. Msg. No. 626**

Recommending that the Senate advise and consent to the nomination of the following:

PEST CONTROL BOARD

G.M. No. 626 JONATHAN MONTALBO, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Jonathan Montalbo for service on the Pest Control Board.

Your Committee received testimony in support of the nomination for the appointment of Jonathan Montalbo from the Pest Control Board and Hawaii Pest Control Association. Your Committee received testimony in opposition of the nomination for the appointment of Jonathan Montalbo from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Montalbo's experience, knowledge, and proven leadership on the Pest Control Board qualify him for appointment to the Pest Control Board as a licensee member. Your Committee notes that Mr. Montalbo has over twenty-five years of experience in the pest control industry and has been a licensed pest control operator in Hawaii since 2007. Mr. Montalbo is currently the President of Aloha Termite Kauai, Inc., DBA Aloha Termite and Pest Control, a position he has held for over fifteen years. Mr. Montalbo also previously worked as a service technician for various pest control companies in the State. Your Committee further finds that Mr. Montalbo is a member of a number of professional organizations, including the Hawaii Pest Control Association, where he previously served as President. Mr. Montalbo also previously served two terms on the Pest Control Board from 2014-2021, where he served as both the Vice Chair and Chair of the Board. Mr. Montalbo's experience and knowledge will continue to be assets to the Pest Control Board. Your Committee therefore recommends that Jonathon Montalbo be appointed to the Pest Control Board 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, 5. Noes, none. Excused, none.

**SCRep. 2024 Commerce and Consumer Protection on Gov. Msg. No. 616**

Recommending that the Senate advise and consent to the nomination of the following:

REAL ESTATE COMMISSION

G.M. No. 616 DERRICK YAMANE, for a term to expire 06-30-2027

Your Committee reviewed the personal history, resume, and statement submitted by Derrick Yamane for service on the Real Estate Commission.

Your Committee received testimony in support of the nomination for the reappointment of Derrick Yamane from the Real Estate Commission and Hawai'i Association of REALTORS. Your Committee received testimony in opposition to the nomination for the reappointment of Derrick Yamane from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his reappointment. Your Committee received comments on the nomination for the reappointment of Derrick Yamane from one individual.

Upon review of the testimony, your Committee finds that Mr. Yamane'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. Your Committee notes that Mr. Yamane has over thirty years of experience in the real estate industry and has been licensed as a real estate broker in Hawaii since 1991. Mr. Yamane currently serves as a partner and broker-in-charge for Locations, LLC, where he oversees and supervises over three hundred real estate agents and reviews and approves purchase contracts and listing agreements. Your Committee further finds that Mr. Yamane has served on the Real Estate Commission since 2019 and has served as its Chair since 2022. Mr. Yamane's extensive experience in the real estate industry will continue to support the purpose of and provide a valued perspective to the Real Estate Commission. Your Committee therefore recommends that Derrick Yamane be reappointed to the Real Estate Commission based on his experience, knowledge, and demonstrated leadership.

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, 5. Noes, none. Excused, none.

**SCRep. 2025 Commerce and Consumer Protection on Gov. Msg. No. 627**

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS

G.M. No. 627 HOWARD LAU, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Howard Lau for service on the Board of Professional Engineers, Architects, Surveyors and Landscape Architects.

Your Committee received testimony in support of the nomination for the reappointment of Howard Lau from the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition to the nomination for the appointment of Howard Lau from one individual. Your Committee notes that the testimony submitted in opposition to this nominee contained no substantive information or commentary relating to his appointment.

Upon review of the testimony, your Committee finds that Mr. Lau's background, knowledge, and previous experience on the Board of Professional Engineers, Architects, Surveyors and Landscape Architects (Board) qualify him for appointment to the Board as a structural engineer member from Oahu. Your Committee notes that Mr. Lau has over forty years of experience in structural and civil engineering and has been licensed as a structural engineer in Hawaii since 1978. Mr. Lau has been a structural engineering principal advisor with Coffman Engineers since 2022, after serving as President of Shigemura, Lau, Sakanashi, Higuchi & Associates, Inc. for twenty-four years. During the course of his career, Mr. Lau has served in various leadership capacities for structural and civil engineering associations at both the local and national level, including the Structural Engineers Association of Hawaii (past President), Light Gauge Steel Engineers Association- Hawaii Chapter (past President), and Light Gauge Steel Engineers Association (past National Director and National Vice President). Your Committee further finds that Mr. Lau previously served on the Board of Professional Engineers, Architects, Surveyors and Landscape Architects and his extensive experience and knowledge will be assets to the Board. Your Committee therefore recommends that Howard Lau be appointed 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 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, 5. Noes, none. Excused, none.

**SCRep. 2026 Labor and Technology on Gov. Msg. No. 513**

Recommending that the Senate advise and consent to the nomination of the following:

DIRECTOR, DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT

G.M. No. 513 BRENNA HASHIMOTO, for a term to expire at noon on 12-07-2026

Your Committee reviewed the personal history, resume, and statement submitted by Brenna Hashimoto for service as the Director of Human Resources Development.

Your Committee received testimony in support of the nomination for the appointment of Brenna Hashimoto from the Governor; Department of Transportation; Department of Law Enforcement; Department of Budget and Finance; Department of Commerce and Consumer Affairs; Department of Public Safety; Department of Hawaiian Home Lands; Department of Land and Natural Resources; Department of Education; Department of Human Services; Department of Labor and Industrial Relations; Department of Taxation; Employee Relations Division, Employee Staffing Division, Employee Claims Division, Labor Relations Division, Administrative

Services Office, Information Systems Office, and Equal Employment Opportunity Program of the Department of Human Resources Development; Office of Enterprise Technology Services; Hawaii Public Housing Authority; One Shared Future Inc.; and sixteen individuals.

Ms. Hashimoto earned a Bachelor's degree in Sociology from the University of Oregon. Since then, she has accumulated over thirty years of experience in the Hawaii state government, mainly in the area of human resources. Specifically, Ms. Hashimoto has eleven years of experience in the Department of Health, over thirteen years of experience in the University of Hawaii System, and over seven years of experience in the Department of Human Services (DHS).

Your Committee notes that Ms. Hashimoto has been serving as the interim Director of Human Resources Development since December 2022. Prior to that, she served as the Director of Human Resources for DHS since January 2016, where she managed and oversaw all aspects of the DHS' human resources program, including recruitment, position classification, employee benefits, training, employee relations, records management, labor relations, and civil rights compliance for over two thousand three hundred employees. During this time, she not only served as a member of the employer's negotiating teams for bargaining unit 9, which consists of registered professional nurses, and bargaining unit 10, which consists of institutional, health, and correctional workers, but also chaired the Human Resources Council (Council) in 2017 and co-chaired the Council from 2018 to 2019.

In her written statement, Ms. Hashimoto stated that employee recruitment and retention is by far the biggest challenge facing the Department of Human Resources Development (DHRD) and other executive branch departments. Accordingly, her highest priority and most immediate initiative is to rebuild DHRD by filling its vacancies and developing expertise necessary to fulfill the mission and goals of DHRD. Your Committee notes that since December 2022, Ms. Hashimoto has received gubernatorial approval and partial funding from the Coronavirus State Fiscal Recovery Funds to implement a Human Resources Modernization Project. The proposed Human Resources Modernization Project takes a three-pronged approach to increase recruitment; modernize worker's compensation claims; and identify opportunities to further support the Department's programs, plans, and initiatives. During the hearing, Ms. Hashimoto also noted that because of the few retention incentives available to state employees due to collective bargaining constraints, she intends to conduct retention and exit surveys to better understand and address the reasons why employees leave or stay in government service.

Your Committee finds that testimony submitted in support of Ms. Hashimoto's nomination speak highly of her specialized knowledge of human resources and distinguished track record of providing innovative, creative, and practical solutions to human resources management issues. Other testifiers spoke of her proactive leadership and interpersonal skills as well. Testimony submitted by DHS stated that, during the coronavirus disease 2019 pandemic, Ms. Hashimoto was an integral part of DHS response, which continued to ensure that the people of Hawaii thrived. Your Committee especially notes that not only has Ms. Hashimoto received testimony in strong support of her nomination across multiple departments, but from DHRD's senior management team as well.

With her vast knowledge and experience in human resources of the Hawaii state government, long-term vision for public employees, and support from her team and other departments, your Committee recommends that Brenna Hashimoto be appointed as the Director of Human Resources Development.

As affirmed by the record of votes of the members of your Committee on Labor and Technology 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 (Keith-Agaran).

**SCRep. 2027      Judiciary on Gov. Msg. No. 675**

Recommending that the Senate advise and consent to the nomination of the following:

INTERMEDIATE COURT OF APPEALS AS ASSOCIATE JUDGE

G.M. No. 675    KIMBERLY TSUMOTO GUIDRY, for a term to expire in 10 years

Your Committee reviewed the personal history, resume, and statement submitted by Kimberly Tsumoto Guidry for service on the Intermediate Court of Appeals as Associate Judge.

Your Committee received testimony in support of the appointment of Kimberly Tsumoto Guidry from the Governor, Hawai'i Women Lawyers, and thirty-eight individuals. Your Committee received testimony in opposition to the appointment of Kimberly Tsumoto Guidry from one individual. Your Committee received comments on the appointment of Kimberly Tsumoto Guidry from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) uses a rating system that considers several criteria to assist the HSBA Board in making a recommendation to your Committee on whether the appointee is "qualified" or "not qualified". Specifically, the criteria the HSBA Board employs is the same criteria found in the American Bar Association's Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those guidelines include the following criteria, which are not exclusive: integrity, diligence, legal knowledge and ability, professional experience, 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. Upon review of the established criteria, the HSBA Board found the appointee to be qualified for the position of Associate Judge of the Intermediate Court of Appeals.

Ms. Guidry received a Bachelor of Arts in History with Highest Honors from the University of Hawai'i at Mānoa. She then received her Juris Doctor from the University of Hawai'i at Mānoa, William S. Richardson School of Law. Ms. Guidry has been licensed to practice law in the State of Hawaii since 2002.

Ms. Guidry has been with the Department of the Attorney General in numerous roles for over twenty years. She currently serves as Solicitor General and Supervising Deputy Attorney of the Appellate Division, where she oversees most state and federal appeals and

appears and argues in civil and criminal cases before the Ninth Circuit Court of Appeals, Hawai'i Supreme Court, and Hawai'i Intermediate Court of Appeals. While at the Department of the Attorney General, Ms. Guidry was a member of the 2021 Attorney General's Team of the Year, member of the 2018 Governor's Team of the Year, and recipient of the 2015 Department of the Attorney General Employee of the Year Award. Ms. Guidry also serves on the Department of the Attorney General's Appeal and Opinions Review Committee and trains deputy attorneys on the Hawai'i Rules of Appellate Procedure. Ms. Guidry's more than two-decade long career with the Department of the Attorney General demonstrates her commitment to serving the public and her specialized knowledge in the area of appellate practice.

In addition to her work for the Department of the Attorney General, Ms. Guidry serves on the Judiciary's Hawai'i Rules of Appellate Procedures Standing Committee and is a Bar Examiner for the Hawai'i State Board of Bar Examiners. For three months in 2006, she served as a National Association of Attorneys General Supreme Court Fellow in Washington D.C.

Testimony submitted in support of Ms. Guidry's appointment commends her experience in appellate work, professional ability, legal skills, work ethic, and integrity. Numerous testifiers also praise her high ethical standards, as well as her compassion, thoughtfulness, and even temperament.

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 her qualifications, Kimberly Tsumoto Guidry has the knowledge, diligence, and other competencies to be an Associate Judge for the Intermediate Court of Appeals, and she has the legal expertise and integrity 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, 3. Noes, none. Excused, 2 (San Buenaventura, Awa).

#### **SCRep. 2028 Public Safety and Intergovernmental and Military Affairs on S.R. No. 138**

The purpose and intent of this measure is to urge the United States Marine Corps to relocate all live fire training and aviation activity away from Puuloa Range Training Facility.

Your Committee received testimony in support of this measure from two members of the Ewa Neighborhood Board, Surf rider Foundation, Hui o Ho'ohonua, Ulu A'e Learning Center, and nine individuals. Your Committee received testimony in opposition to this measure from the United States Marine Corps and eight individuals. Your Committee received comments on this measure from the Hawaii Military Affairs Council.

Your Committee finds that the noise pollution, risk of stray bullets, and environmental impact of the Puuloa Range Training Facility have negatively impacted the health and safety of residents living near the facility for decades. Your Committee believes that locating a large shooting facility in a densely populated residential community is detrimental to the well-being of the residents. This measure will address the community's concerns about the environmental harm, noise pollution, and other dangers associated with the facility's open-air ranges.

Your Committee has amended this measure by:

- (1) Expanding the list of recipients of certified copies of the Resolution to include the:
  - (A) Administrator of the Federal Aviation Administration;
  - (B) Commander of the Indo-Pacific Command;
  - (C) Commander of the Naval Facilities Engineering Command Pacific;
  - (D) Commanding General of the Marine Installations Pacific;
  - (E) Commander of Marine Corps Base Hawaii;
  - (F) Members of Hawaii's Congressional Delegation;
  - (G) Governor;
  - (H) Chairperson of the Board of Land and Natural Resources;
  - (I) Director of Health;
  - (J) Director of the Office of Planning and Sustainable Development;
  - (K) Mayor of the City and County of Honolulu; and
  - (L) Chairperson of the Honolulu City 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 Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 138, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 138, S.D. 1.

Signed by the Chair on behalf of the Committee.

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